

Also, a bill (H. R. 19638) granting an increase of pension to Stewart Gorton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19639) granting a pension to Mrs. Edwin D. Alger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19640) granting an increase of pension to Ann Herrendeen; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19641) to remove the charge of desertion from the service record of John Winton and grant him an honorable discharge; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Evidence to accompany House bill 18595, for the relief of Thomas Adams; to the Committee on Invalid Pensions.

By Mr. BAILEY: Petition of business men of Gallitzin, Pa., favoring passage of House bill 5308, relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. CARY: Petition of druggists of the State of Wisconsin, favoring the passage of the Stevens bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of Wisconsin State Dental Society, protesting against process patents, etc.; to the Committee on Patents.

By Mr. FITZGERALD: Memorial of the executive committee of the National Electrical Contractors' Association, favoring 1-cent letter postage; to the Committee on the Post Office and Post Roads.

Also, memorial of the Maritime Association of the Port of New York, relative to more funds for the coast-survey work; to the Committee on Appropriations.

Also, memorial of Unity Republican Club, of Kings County, and Twenty-ninth Ward Taxpayers' Association, of Brooklyn, N. Y., favoring passage of the Hamill bill relative to retirement of aged Government workers; to the Committee on Reform in the Civil Service.

By Mr. GILMORE: Memorial of the city council of Brockton, Mass., favoring passage of the Hamill bill relative to retirement of aged Government employees; to the Committee on Reform in the Civil Service.

Also, memorial of Socialist Party of Rockland, Mass., favoring strict neutrality of the United States by forbidding the exportation of foodstuffs to warring countries; to the Committee on Foreign Affairs.

Also, petition of citizens of Massachusetts, favoring civil-service retirement; to the Committee on Reform in the Civil Service.

By Mr. GRIEST: Memorial of Philadelphia (Pa.) Drug Exchange, favoring amending the law relative to importers under the food and drugs act; to the Committee on the Judiciary.

Also, memorial of Evangelical Lutheran Synod of Eastern Pennsylvania, members of the Intermediate Endeavor Society of the First Presbyterian Church, of Lancaster, Pa., favoring national prohibition; to the Committee on Rules.

Also, memorial of Local Union No. 146 (Lancaster, Pa.) of the Operative Plasterers International Union, protesting against certain methods followed by those in charge of the employment of labor in the Canal Zone; to the Committee on Labor.

By Mr. HOUSTON: Petition of citizens and quarterly conference of Fayetteville, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. JOHNSON of Washington: Petition of various citizens of the State of Washington, favoring Lindquist pure fabric and leather bill; to the Committee on Interstate and Foreign Commerce.

By Mr. KIESS of Pennsylvania: Evidence in support of House bill 19490 for the relief of Hawley J. Smith; to the Committee on Pensions.

Also, evidence in support of House bill 10479, for the relief of Martin V. Stanton; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 10655, for the relief of Samuel P. Kahler; to the Committee on Invalid Pensions.

Also, evidence in support of House bill 2386, for the relief of Charles A. Smith; to the Committee on Invalid Pensions.

By Mr. McLAUGHLIN: Papers to accompany bill granting an increase of pension to Almon W. Bennett; to the Committee on Invalid Pensions.

By Mr. MOON: Petition of the Woman's Christian Temperance Union of Hamilton County, Tenn., in favor of Hobson constitutional amendment; to the Committee on Rules.

Also, petition of the Woman's Christian Temperance Union of McMinn and Bradley Counties, Tenn., in favor of Hobson prohibition amendment; to the Committee on Rules.

By Mr. NEELY of West Virginia: Papers to accompany bill for the relief of Arthur C. Null; to the Committee on Pensions.

By Mr. J. I. NOLAN: Resolutions adopted by San Luis Obispo (Cal.) Chamber of Commerce and Baptist Convention of Northern California, favoring the passage of the Hamill bill, providing for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

Also, resolutions adopted by S. F. Lodge, No. 26, Loyal Order of Moose; S. F. Aerie, No. 5, Fraternal Order of Eagles; Pacific Athletic Association; the Indoor Yacht Club; Phelps Squadron, No. 12, U. S. V. N.; and Nelson A. Miles Camp, No. 10, U. S. W. V., all of San Francisco, Cal., and representing a membership of over 15,800, favoring the passage of the Hamill bill, providing for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. ROBERTS of Nevada: Petition of D. A. Paul, of Lovelock, and Charles S. Larne, of Fernley, Nev., protesting against national prohibition; to the Committee on Rules.

By Mr. J. M. C. SMITH: Petition of 17 citizens of Kalamazoo, Mich., favoring Stevens bill (H. R. 13305) for uniform prices; to the Committee on Interstate and Foreign Commerce.

Also, petitions of 46 citizens of Kalamazoo, 6 citizens of Union City, 13 citizens of Vicksburg, 7 citizens of Sherwood, 26 citizens of Coldwater, 6 citizens of Tekonsha, 9 citizens of Litchfield, 6 citizens of Allen, 13 citizens of Jonesville, 8 citizens of Quincy, 4 citizens of Frontier, 5 citizens of Burr Oak, 5 citizens of Montgomery, 10 citizens of Bronson, 3 citizens of Cambria, 9 citizens of Olivet, 7 citizens of Waldron, 9 citizens of Pittsford, 5 citizens of Camden, 11 citizens of Reading, 12 citizens of Grand Ledge, 4 citizens of Scotts, 4 citizens of Pottersville, 6 citizens of Schoolcraft, 10 citizens of Homer, 2 citizens of Galesburg, 6 citizens of Dimondale, 6 citizens of Augusta, 17 citizens of Battle Creek, 20 citizens of Charlotte, 13 citizens of Bellevue, 19 citizens of Eaton Rapids, 16 citizens of Marshall, 13 citizens of Albion, 16 citizens of Hillsdale, all in the State of Michigan, favoring House bill 5308, to compel nonresident concerns to contribute to the maintenance of the city where goods are sold at retail; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, December 9, 1914.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come before Thee to settle each day anew those eternal issues that can never be written into the laws of our land. Before we would strive to serve our fellow men we would receive from Thee moral and spiritual authority to say "Thou shalt" and "Thou shalt not." Unless we conform to the divine policy in our Government we shall never succeed in going onward and upward to ever-inviting fields of human progress. Give us wisdom, give us vision, give us a due discernment of the need of the hour. May we address ourselves to our tasks with a conscience void of offense. We ask for Christ's sake. Amen.

ROBERT M. LA FOLLETTE, a Senator from the State of Wisconsin, and CHARLES S. THOMAS, a Senator from the State of Colorado, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

REPORT OF CIVIL SERVICE COMMISSION (H. DOC. NO. 1258).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on Civil Service and Retrenchment and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith, for the consideration of the Congress, the Thirty-first Annual Report of the United States Civil Service Commission for the fiscal year ended June 30, 1914.

The attention of the Congress is especially invited to the needs of the commission as set forth on pages 27 to 32 of the report.

WOODROW WILSON.

THE WHITE HOUSE, December 8, 1914.

NOTE.—Report accompanied similar message to the House of Representatives.

REPORT OF THE SECRETARY OF THE TREASURY (H. DOC. NO. 1261).

The VICE PRESIDENT laid before the Senate the annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1914, which was referred to the Committee on Finance and ordered to be printed.

SPRINGFIELD ARMORY AND ROCK ISLAND ARSENAL (H. DOC. NO. 1263).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law,

a statement submitted by the Chief of Ordnance, United States Army, of the expenditures and of arms, components of arms, and appendages fabricated, altered, and repaired during the fiscal year ended June 30, 1914, at the Springfield Armory, Springfield, Mass., and at the Rock Island Arsenal, Rock Island, Ill., which, with the accompanying paper, was referred to the Committee on Military Affairs and ordered to be printed.

SHOSHONE RECLAMATION PROJECT (H. DOC. NO. 1274).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report as to the Shoshone reclamation project showing the status of the water rights of the Indians, the method of financing the project, etc., which was referred to the Committee on Indian Affairs and ordered to be printed.

BLACKFEET, FLATHEAD, AND FORT PECK RECLAMATION PROJECTS (H. DOC. NO. 1215).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the Blackfeet, Flathead, and Fort Peck reclamation projects showing the status of the water rights of the Indians, the method of financing the projects, etc., which was referred to the Committee on Indian Affairs and ordered to be printed.

UINTAH INDIAN RECLAMATION PROJECT (H. DOC. NO. 1250).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report as to the Uintah Indian reclamation project, showing the status of the water rights of the Indians, the method of financing the project, etc., which was referred to the Committee on Indian Affairs and ordered to be printed.

INDIAN IRRIGATION PROJECTS (H. DOC. NO. 1268).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the cost account of all moneys expended on each irrigation project on Indian reservations, allotments, and lands, and showing the operations during the fiscal year 1914 and the total cost to June 30, 1914, which, with the accompanying papers and illustrations, was referred to the Committee on Printing.

SUBSISTENCE FOR INDIAN TRIBES (H. DOC. NO. 1251).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, stating, in compliance with law, that no diversions or expenditures were made during the fiscal year ended June 30, 1914, under the provisions of the act of March 1, 1907, relative to the purchase of subsistence for the several Indian tribes, which was referred to the Committee on Indian Affairs and ordered to be printed.

TRAVEL PAY OF EMPLOYEES IN INTERIOR DEPARTMENT (H. DOC. NO. 1260).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing in detail the number of officers or employees (other than special agents, inspectors, or employees who, in the discharge of their duties, are required to travel constantly) of the Department of the Interior for travel on official business from Washington to points outside of the District of Columbia during the fiscal year ended June 30, 1914, which was referred to the Committee on Appropriations and ordered to be printed.

FLATHEAD INDIAN RESERVATION, MONT. (H. DOC. NO. 1217).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of lands within the Flathead Indian Reservation, Mont., reserved for power and reservoir sites, which was referred to the Committee on Indian Affairs and ordered to be printed.

CONTINGENT EXPENSES, INTERIOR DEPARTMENT (H. DOC. NO. 1216).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, an itemized statement of expenditures made by the Department of the Interior and charged to the appropriation "Contingent expenses, Department of the Interior, 1914," for the fiscal year ended June 30, 1914, which was referred to the Committee on Appropriations and ordered to be printed.

STANDING ROCK INDIAN RESERVATION (H. DOC. NO. 1236).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report relative to the necessity and practicability of constructing a wagon road or highway through the Standing Rock Indian Reservation in Corson County, S. Dak., which, with

the accompanying paper and illustrations, was referred to the Committee on Printing.

REPORT OF THE RECLAMATION SERVICE (H. DOC. NO. 1255).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, the Thirteenth Annual Report of the Reclamation Service, which was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed.

DISTRIBUTION OF PUBLIC DOCUMENTS (H. DOC. NO. 1280).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a statement showing the documents received and distributed by the Department of the Interior during the fiscal year ended June 30, 1914, which was referred to the Committee on Printing.

REPORT OF LIBRARIAN OF CONGRESS (H. DOC. NO. 1402).

The VICE PRESIDENT laid before the Senate the annual report of the Librarian of Congress and of the Superintendent of the Library Building and Grounds for the fiscal year ended June 30, 1914, which was referred to the Committee on the Library.

FRENCH SPOILATION CLAIMS.

The VICE PRESIDENT laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law and opinions, filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the following causes:

The schooner *Experiment*, Archibald Maxwell, master (H. Doc. No. 1289); and

The brig *Betsey*, Douglass Chapman, master (H. Doc. No. 1290).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

He also laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law, filed under the act of January 20, 1885, in the French spoliation claims set out in the annexed findings by the court relating to the following causes:

The schooner *Rachel*, James Lang, master (H. Doc. No. 1305); The schooner *Columbia*, Joseph Boardman, master (H. Doc. No. 1304);

The ship *Fair American*, John C. Brevoor, master (H. Doc. No. 1306);

The schooner *President*, Thomas Eastwood, master (H. Doc. No. 1307);

The brig *Lucy*, John Gore, master (H. Doc. No. 1308);

The brig *Florida*, James Hoare, master (H. Doc. No. 1309);

The brig *Phoebe*, Moses Taylor, master (H. Doc. No. 1320);

The sloop *Hope*, Joseph Britts, master (H. Doc. No. 1310);

The ship *Little Mary*, Jacob Benners, master (H. Doc. No. 1311);

The schooner *Lark*, Edward Snow, master (H. Doc. No. 1303);

The brigantine *Centaur*, George Cutts, master (H. Doc. No. 1302);

The brig *Polly*, Samuel Makins, master (H. Doc. No. 1301);

The ship *Superb*, Josiah Barnard, master (H. Doc. No. 1300);

The schooner *Active*, Nathaniel Atkins, master (H. Doc. No. 1299);

The ship *Hero*, George F. Blunt, master (H. Doc. No. 1298);

The brig *Dove*, Friend Dole, master (H. Doc. No. 1297);

The ship *Pallas*, Absalom Z. Vernon, master (H. Doc. No. 1296);

The brig *William*, Ellis Cook, master (H. Doc. No. 1295);

The sloop *William*, George Chapman, master (H. Doc. No. 1294);

The brig *Peggy*, John Hollet, master (H. Doc. No. 1293);

The sloop *Hawk*, Joseph Hart, master (H. Doc. No. 1292);

The ship *Philadelphia*, John Dove, master (H. Doc. No. 1291);

The schooner *Mary Ann*, Jonathan Waite, master (H. Doc. No. 1322);

The schooner *Hetty*, Edward Dodsworth, master (H. Doc. No. 1321);

The snow *Charles*, Stephen Lee, master (H. Doc. No. 1323);

The ship *Phoenix*, Christian Becker, master (H. Doc. No. 1324);

The brig *Maria*, Aaron Jeffrey, master (H. Doc. No. 1312);

The schooner *Delight*, Samuel Helms, master (H. Doc. No. 1313);

The brig *Lydia*, Thomas Amsdell, master (H. Doc. No. 1314);

The schooner *Sally*, Robert Chunn, master (H. Doc. No. 1315);

The brig *Jay*, Hugh Wilson, master (H. Doc. No. 1316);

The schooner *Friendship*, Theodore Harding, master (H. Doc. No. 1317);

The ship *Willink*, James Stewart, master (H. Doc. No. 1318); and

The brig *Eliza*, Willis Whitfield, master (H. Doc. No. 1319).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. KERN presented a petition of Newland Post, Grand Army of the Republic, of Bedford, Ind., praying for the enactment of legislation to provide a volunteer officers' retired list, which was ordered to lie on the table.

He also presented memorials of sundry citizens of Indiana, remonstrating against the circulation through the mails of anti-Catholic literature, which were referred to the Committee on Post Offices and Post Roads.

Mr. CHAMBERLAIN presented a petition of sundry citizens of Brogan, Oreg., praying for the enactment of legislation to secure peace in Europe, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented petitions of sundry citizens of East Wareham, Boston, New Bedford, Newburyport, Ayer, Worcester, Newton Upper Falls, Lynn, Cambridge, Milford, Mattapoiset, Hopkinton, Melrose, Gloucester, Granville, Provincetown, Ware, Malden, Wareham, Fitchburg, and Lowell, all in the State of Massachusetts, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Lowell, Mass., remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

Mr. LA FOLLETTE presented petitions of sundry citizens of Wisconsin, praying for national prohibition, which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Wisconsin, remonstrating against national prohibition, which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Eau Claire, Wis., praying for the enactment of legislation to provide a compensatory time privilege to post-office employees, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Eau Claire and Chippewa Falls, in the State of Wisconsin, praying for the enactment of legislation compelling the observance of Sunday as a day of rest, which were referred to the Committee on the District of Columbia.

Mr. PERKINS presented petitions of the Chamber of Commerce of San Luis Obispo; the Loyal Order of Moose, No. 509, of Alameda; the Iroquois Club, of San Francisco; the Central Labor Council of Petaluma; of Court No. 63, Federation of Labor, of Petaluma; of Hive No. 6, Ladies of the Maccabees, of Pasadena; and of the Federation of Catholic Societies, of Los Angeles, all in the State of California, praying for the enactment of legislation to provide pensions for civil-service employees, which were referred to the Committee on Civil Service and Retrenchment.

FOOT-AND-MOUTH DISEASE.

Mr. GORE, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 6689) making appropriation for the arrest and eradication of the foot-and-mouth disease, and for other purposes, reported it without amendment and submitted a report (No. 831) thereon.

Mr. SHAFROTH. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, with an amendment, Senate resolution 490, submitted by the Senator from Ohio [Mr. POMERENE] on the 7th instant. As it is a matter of urgency, I should like very much to have the resolution acted upon at this time.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution. The amendment of the committee was, on page 2, line 5, after the word "employ," to strike out "stenographers and such other assistants as it may deem necessary" and to insert "a stenographer at a cost not exceeding \$1 per printed page," so as to make the resolution read:

Resolved, That the Committee on Agriculture and Forestry of the Senate, or any subcommittee thereof duly authorized by said committee, be, and it is hereby, instructed to make inquiry concerning and report to the Senate thereon:

First. The extent and location of the territory affected by the foot-and-mouth disease and the number of cattle, hogs, sheep, and other animals affected thereby or exposed thereto.

Second. What quarantine or other measures have been adopted by the Federal or State authorities for the prevention or eradication of said disease.

Third. What changes, if any, should be adopted by the Federal or State authorities in their methods of quarantine.

Fourth. What remedy or remedies are known or used in preventing or eradicating said disease.

That said committee or subcommittee is authorized to sit during the sessions of the Senate and during any recess of the Senate; to hold sessions at such place or places as it shall deem most convenient for the purposes of the investigation; to employ a stenographer at a cost not exceeding \$1 per printed page; to send for persons, books, records, and papers; to administer oaths, and as early as practicable to report to the Senate the results of its investigation, including all testimony taken by it; and that the expenses of the inquiry shall be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

The amendment was agreed to.

Mr. BURTON. Mr. President, I hope the resolution will be promptly passed; and as I see several members of the Committee on Agriculture and Forestry present, I will express the further hope that the committee will very promptly proceed with the inquiry provided for by the resolution. It relates to what is really a very serious matter.

Mr. SHAFROTH. Mr. President, I will state to the Senator from Ohio that the committee met this morning, took some testimony with relation to this matter, and reported favorably a bill providing for an additional expenditure, I think, of \$1,500,000 to meet any emergency that may confront the department either in connection with this disease or with any other disease which may appear.

Mr. BURTON. Do I understand the Senator from Colorado intends to bring up that bill immediately after the adoption of the pending resolution?

Mr. SHAFROTH. No; that bill will not be in my charge. The resolution I have reported simply provides for the payment of a stenographer and for the investigation, so that it may proceed regularly. The bill to which I have referred will probably come up either this afternoon or to-morrow morning.

Mr. BURTON. I trust very early consideration may be given to it, because a most serious emergency exists in the State of Ohio and also in other States.

Mr. SHAFROTH. The committee recognize the great emergency, and therefore determined this morning as to the amount which should be added to the funds of the Agricultural Department for this very purpose.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JONES:

A bill (S. 6827) relating to the reclamation of arid, semiarid, swamp, and overflow lands through district organizations, and authorizing Government aid therefor; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. KENYON:

A bill (S. 6828) amending section 232 of the Judicial Code, changing the number of grand jurors; to the Committee on the Judiciary.

By Mr. BANKHEAD:

A bill (S. 6829) to provide for the construction of two revenue cutters; to the Committee on Commerce.

By Mr. LA FOLLETTE:

A bill (S. 6830) granting an increase of pension to Jasper McPhail; and

A bill (S. 6831) granting an increase of pension to Perry B. Glines (with accompanying papers); to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 6832) to amend the navigation laws of the United States; to the Committee on Commerce.

By Mr. JAMES:

A bill (S. 6833) granting an increase of pension to Louisa Bendel (with accompanying papers);

A bill (S. 6834) granting an increase of pension to Stephen K. Ashley (with accompanying papers);

A bill (S. 6835) granting a pension to Mary E. Wash (with accompanying papers);

A bill (S. 6836) granting an increase of pension to Samuel McClure (with accompanying papers);

A bill (S. 6837) granting an increase of pension to M. B. Sasser (with accompanying papers); and

A bill (S. 6838) granting an increase of pension to William Bays (with accompanying papers); to the Committee on Pensions.

By Mr. OLIVER:

A bill (S. 6839) extending the time for the completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the

Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912; to the Committee on Commerce.

By Mr. SHIVELY:

A bill (S. 6840) granting an increase of pension to Earl W. Soper;

A bill (S. 6841) granting an increase of pension to Charles Frederick;

A bill (S. 6842) granting an increase of pension to Nancy J. Nicholson;

A bill (S. 6843) granting a pension to Rosalie A. Partridge;

A bill (S. 6844) granting an increase of pension to Reuben F. Longley;

A bill (S. 6845) granting a pension to Winfield Taylor; and

A bill (S. 6846) granting an increase of pension to Samuel Roberts; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 6847) granting an increase of pension to John E. Saunders; to the Committee on Pensions.

By Mr. MARTIN of Virginia:

A bill (S. 6848) granting a pension to William G. Taliaferro; to the Committee on Pensions.

By Mr. SHERMAN:

A bill (S. 6849) for the relief of James Orange; to the Committee on Military Affairs.

A bill (S. 6850) granting an increase of pension to Nancy I. Williams;

A bill (S. 6851) granting an increase of pension to Charles S. Morse;

A bill (S. 6852) granting an increase of pension to James O. Anderson; and

A bill (S. 6853) granting a pension to Jane McGaughey; to the Committee on Pensions.

By Mr. SHIELDS:

A bill (S. 6854) to incorporate the Boy Scouts of America, and for other purposes; to the Committee on the Judiciary.

A bill (S. 6855) granting an increase of pension to Charles H. Flournoy (with accompanying papers); to the Committee on Pensions.

By Mr. BANKHEAD:

A joint resolution (S. J. Res. 208) continuing the Joint Committee on Postage on Second-Class Mail Matter and Compensation for the Transportation of Mail, created by the act of August 24, 1912; to the Committee on Post Offices and Post Roads.

By Mr. OWEN:

A joint resolution (S. J. Res. 209) withholding from allotment the unallotted lands or public domain of the Creek Nation or Tribe of Indians and providing for the sale thereof, and for other purposes; to the Committee on Indian Affairs.

THE MERCHANT MARINE.

Mr. STONE. Mr. President, I introduce a bill and ask that it be referred to the Committee on Commerce.

The bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, was read twice by its title.

The VICE PRESIDENT. The bill will be referred to the Committee on Commerce.

Mr. GALLINGER. Mr. President, the bill the Senator from Missouri has just introduced refers to a matter in which many of us are deeply interested. I should like to ask him if the bill is along the same lines as the so-called Alexander bill in the House?

Mr. STONE. It is the Alexander bill. I will say, however, that there is this difference: An amendment has been interpolated which Mr. ALEXANDER himself wrote in, and I am introducing it in that form.

Mr. BURTON. I should like to inquire what bill this is?

Mr. STONE. It is a shipping bill, a merchant-marine bill.

Mr. BURTON. What does the Senator from Missouri propose to have done with the bill?

Mr. STONE. To have it referred to the Committee on Commerce.

The VICE PRESIDENT. That action has been taken.

TEXAS STATE CLAIMS.

Mr. CULBERSON. I submit an amendment proposing to reimburse the State of Texas in full payment of all claims of any nature whatever on account of expense incurred by that State prior to February 9, 1861, intended to be proposed by

me to the general deficiency appropriation bill. I ask that the amendment be printed and referred to the Committee on Appropriations.

The VICE PRESIDENT. That action will be taken.

OMNIBUS CLAIMS BILL.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (S. 6120) for the allowance of certain claims reported by the Court of Claims, which was referred to the Committee on Claims and ordered to be printed.

Mr. MARTIN of Virginia submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was ordered to lie on the table and be printed.

EMPLOYMENT OF STENOGRAPHER.

Mr. GORE submitted the following resolution (S. Res. 496), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry, or any subcommittee thereof, be authorized during the Sixty-third Congress to employ a stenographer at a price not to exceed \$1 per printed page to report such hearings as may be held in connection with any subject which may be pending before the said committee; and the expenses thereof shall be paid out of the contingent fund of the Senate.

REGULATION OF IMMIGRATION.

The VICE PRESIDENT. The morning business is closed.

Mr. SMITH of South Carolina. I move that the Senate proceed to the consideration of House bill 6060, known as the immigration bill.

The VICE PRESIDENT. The Senator from South Carolina moves that the Senate proceed to the consideration of House bill 6060, which will be read by title.

The SECRETARY. A bill (H. R. 6060) to regulate the immigration of aliens to and the residence of aliens in the United States.

The VICE PRESIDENT. The question is on the motion of the Senator from South Carolina.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Immigration with amendments.

The VICE PRESIDENT. Shall the bill be regularly read, or the formal reading of the bill being dispensed with, shall it be read for amendment?

Mr. SMITH of South Carolina. I ask that the formal reading of the bill be dispensed with.

Mr. REED. I call for the reading of the bill. If I had been here in time, I would have objected to its consideration.

The VICE PRESIDENT. The bill will be read, but the question is, Shall the amendments be considered as the Secretary proceeds with the reading of the bill?

Mr. REED. I call for the regular order, the reading of the bill in full.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. SMITH of South Carolina. Mr. President, I now ask that the committee amendments be acted upon in their order.

The VICE PRESIDENT. The bill is before the Senate as in Committee of the Whole and open to amendment. If there be no objection, the committee amendments will first be acted upon.

The first amendment of the Committee on Immigration was, in section 1, page 1, line 6, after the word "Indians," to insert "of the United States," so as to read:

That the word "alien" wherever used in this act shall include any person not a native-born or naturalized citizen of the United States; but this definition shall not be held to include Indians of the United States not taxed or citizens of the islands under the jurisdiction of the United States.

Mr. REED. Mr. President, I desire to inquire as to the parliamentary situation. Is this bill now before the Senate by unanimous consent or on a vote?

The VICE PRESIDENT. On a vote.

Mr. REED. The time for its consideration, then, will expire at 2 o'clock for to-day?

The VICE PRESIDENT. No; there is no unfinished business.

Mr. REED. How could it be made the unfinished business during the morning hour?

The VICE PRESIDENT. It has not been, yet.

Mr. REED. Oh, I understand the Chair.

The VICE PRESIDENT. It is simply being taken up by the Senate on motion, as the rules provide, and being considered.

Mr. REED. It may be taken up?

The VICE PRESIDENT. It is taken up.

Mr. REED. Taken up now, during the morning hour; but its right of way will expire, as I understand the Chair, at 2 o'clock?

The VICE PRESIDENT. No. There is no unfinished business. If there were unfinished business, it would expire then. There being no unfinished business, it will proceed until dis-

placed by something else. The question is on agreeing to the first amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 2, line 3, after the words "Canal Zone," to insert "or any insular possession of the United States," so as to read:

That the term "United States," as used in the title as well as in the various sections of this act, shall be construed to mean the United States, and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone; but if any alien shall leave the Canal Zone or any insular possession of the United States and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens. That the term "seaman," as used in this act, shall include every person signed on the ship's articles and employed in any capacity on board any vessel arriving in the United States from any foreign port or place.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 16, after the words "tax of," to strike out "\$5" and insert "\$6," so as to read:

That there shall be levied, collected, and paid a tax of \$6 for every alien, including alien seamen regularly admitted as provided in this act, entering the United States.

Mr. REED. Mr. President, I raise the question of the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Newlands	Simmons
Borah	James	Norris	Smith, Ariz.
Brandeggee	Johnson	O'Gorman	Smith, Ga.
Bryan	Jones	Oliver	Smith, Md.
Burton	Kenyon	Overman	Smith, S. C.
Camden	Kern	Page	Smoot
Chamberlain	La Follette	Penrose	Stone
Culberson	Lane	Perkins	Thompson
Dillingham	Lee, Md.	Pittman	Thornton
du Pont	Lippitt	Pomerene	Walsh
Gallinger	Lodge	Reed	Warren
Gore	McCumber	Robinson	White
Gronna	Martine, N. J.	Shafroth	Works
Hardwick	Myers	Sheppard	
Hitchcock	Nelson	Shively	

Mr. MARTINE of New Jersey. I have been requested to state that the senior Senator from Tennessee [Mr. LEA] is unavoidably detained from the Senate on public business.

Mr. THORNTON. I desire to announce the necessary absence of my colleague [Mr. RANDELL] on public business.

Mr. LODGE. I desire to announce that my colleague [Mr. WEEKS] is unavoidably absent. He has a general pair with the senior Senator from Kentucky [Mr. JAMES].

Mr. BORA. I desire to announce the unavoidable absence of my colleague [Mr. BRADY]. He is paired with the junior Senator from Mississippi [Mr. VARDAMAN].

Mr. CHAMBERLAIN. I have been requested to announce that the senior Senator from West Virginia [Mr. CHILTON] is unavoidably absent. He is paired with the senior Senator from New Mexico [Mr. FALL].

Mr. SMOOT. I desire to announce the following pairs:

The junior Senator from New Mexico [Mr. CATRON] with the senior Senator from Oklahoma [Mr. OWEN];

The junior Senator from Minnesota [Mr. CLAPP] with the senior Senator from North Carolina [Mr. SIMMONS];

The junior Senator from Rhode Island [Mr. COLT] with the junior Senator from Delaware [Mr. SAULSBURY];

The senior Senator from South Dakota [Mr. CRAWFORD] with the senior Senator from Tennessee [Mr. LEA];

The junior Senator from West Virginia [Mr. GOFF] with the senior Senator from South Carolina [Mr. TILLMAN];

The senior Senator from Michigan [Mr. SMITH] with the junior Senator from Missouri [Mr. REED];

The junior Senator from Wisconsin [Mr. STEPHENSON] with the junior Senator from Oklahoma [Mr. GORE]; and

The junior Senator from Utah [Mr. SUTHERLAND] with the senior Senator from Arkansas [Mr. CLARKE].

The VICE PRESIDENT. Fifty-nine Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment of the committee, which will be stated.

The SECRETARY. On page 2, line 16, after the words "tax of," strike out "\$5" and insert "\$6."

The amendment was agreed to.

The next amendment was, on page 2, line 18, after the words "United States," to insert "except that with respect to an alien accompanied by his wife, child, or children said tax shall be \$4 for each such alien, wife, and child," so as to read:

That there shall be levied, collected, and paid a tax of \$6 for every alien, including alien seamen regularly admitted as provided in this act, entering the United States, except that with respect to an alien

accompanied by his wife, child, or children said tax shall be \$4 for each such alien, wife, and child.

Mr. REED. Mr. President, do I understand that the bill is now being read in full for committee amendments?

The VICE PRESIDENT. No; it has been read in full. It is now being read for the committee amendments.

Mr. REED. It must be read in full.

The VICE PRESIDENT. It has been read in full.

Mr. REED. It must be read in full for the amendments.

Mr. LODGE. Mr. President—

The VICE PRESIDENT. There is not any doubt about it. The amendments are now being read, and that is in accordance with the rules of the Senate.

Mr. REED. I simply wanted to be sure that I understood the Chair.

The VICE PRESIDENT. There is not a question of doubt about the rule. A request was made this morning to omit the reading of the bill, and read it simply for the amendments. The Senator from Missouri objected, and asked for the regular order. The bill has now been read in its entirety. It is in the Committee of the Whole, and in accordance with the rules of the Senate it is now being read simply for committee amendments. That does not involve the necessity of rereading the bill but simply reading the amendments, so that it does not have to be read in full.

Mr. REED. I desire to ask the Senator in charge of the bill what important reason impelled the committee to raise the head tax from \$5 to \$6?

Mr. SMITH of South Carolina. Under the existing law and the bill as it came over from the House, the tax is \$5, without any discrimination. The committee in charge of the bill raised it on such individuals as are here set forth—every adult alien, including alien seamen—to \$6, and lowered it to \$4 on the wives and children, so as to equalize it and make it practically the same according to the number that come in. I will state to the Senator that the wives and children do not enter into competition here; they are more or less a burden when they come in; and we therefore lowered the tax on them, while we raised the tax to \$6 in the case of those of earning age.

Mr. LODGE. If the Senator will allow me one moment, of course what we desire to encourage is the immigrant with a family. The idea of the committee was to make the tax as low as it now is on a man with a family, and to increase the tax on the man who comes here without a family—the single men, many of whom are of that class which is most prejudicial in many ways, who come here in the spring, work through the summer, and go back in the autumn, and have no intention of ever becoming American citizens. They come here simply to get the benefit of our opportunities. It was never intended to make the tax fall in such a way as to burden the most desirable immigrants.

Mr. REED. What is the present head tax?

Mr. LODGE. Four dollars. The house made it \$5, and it passed at \$5 in the last Congress in both Houses. The House made it \$5 in this bill, and we have put the tax on men with families back at the figure named in the present law.

Mr. REED. I notice that a little later in the bill the committee has amended it by striking out the clause which exempts from the tax those aliens who have declared their intention of becoming citizens. May I ask the purpose of that change?

Mr. SMITH of South Carolina. Can the Senator refer me to that particular section?

Mr. REED. It is on page 3, the lines that are stricken out—lines 14, 15, and 16.

Mr. LODGE. I will say to the Senator that those lines are not in the existing law. That is new legislation, added by the House. It was the opinion of the department that it was better not to make that exception, as it opened the door to fraud.

Mr. SMITH of South Carolina. That particular part was stricken out, as the Senator from Massachusetts has said, because one might declare his intention to become a citizen and then abuse the law, as already set forth by him, by immediately returning. If you will read further, it says:

Shall not be levied—

And then those lines are stricken out—

on account of aliens who shall enter the United States after an uninterrupted residence of at least one year immediately preceding such entrance.

Mr. REED (reading):

In the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico.

Mr. SMITH of South Carolina. Yes—

Nor on account of otherwise admissible residents of any possession of the United States.

Mr. REED. Yes. Of course, that leaves it that if a man has declared his intention to become a citizen he, nevertheless, must pay this tax.

Mr. GRONNA. Mr. President—

The VICE PRESIDENT. Does the Senator from Missouri yield to the Senator from North Dakota?

Mr. REED. I yield.

Mr. GRONNA. I was simply about to say that I believe this amendment should be changed by an amendment. I believe the words "accompanied by" should be stricken out, so that the amendment will read:

Except that with respect to an alien, his wife, child, or children, said tax shall be \$4.

My reason for that is this: Very often it happens that the husband will come to this country, and after he has earned sufficient money will send for his family. Now, unless the family are accompanied by the husband they will not get the advantage of the reduction in the head tax. I think it was the intention of the committee—at least, it was my intention—that the desirable immigrant, whom we want, should have the benefit of the \$4 tax instead of the \$6 tax.

Mr. SMITH of South Carolina. Will the Senator restate his amendment?

Mr. GRONNA. It is simply to strike out the two words "accompanied by."

Mr. SMITH of South Carolina. On what page?

The PRESIDING OFFICER (Mr. POMERENE in the chair). In lines 18 and 19, page 2.

Mr. GRONNA. Yes; lines 18 and 19, so that the amendment will read:

Except that with respect to an alien, his wife, child, or children, said tax shall be \$4.

There certainly should be no objection to that.

Mr. SMITH of South Carolina. I accept the amendment.

Mr. LODGE. How did the Senator word it finally—just striking out the words "accompanied by"?

Mr. GRONNA. Just striking out the two words "accompanied by."

Mr. LODGE. I agree with the Senator that it should not be limited to the occasion of being accompanied by them.

Mr. GRONNA. That was the intention of the committee.

Mr. LODGE. I think simply leaving out those words makes the amendment a little blind, but that can be remedied subsequently.

Mr. GRONNA. Do I understand that the chairman of the committee has accepted my amendment?

Mr. SMITH of South Carolina. I accept the amendment.

Mr. GRONNA. Very well.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 2, lines 18 and 19, in the committee amendment, strike out the words "accompanied by."

The PRESIDING OFFICER. Without objection, the amendment to the amendment will be agreed to.

Mr. O'GORMAN. Mr. President, I have a suggestion to make that, I think, will be accepted by the Senator in charge of the bill, and will make the phraseology regarding this change satisfactory. It is to strike out in lines 18 and 19 the words "an alien accompanied by his" and substitute for the word "his," in line 19, the word "the," and insert the words "of an alien" after the word "children," so that the two lines will read:

Entering the United States, except that with respect to the wife, child, or children of an alien, said tax shall be \$4 for each such alien, wife, and child.

Mr. LODGE. That puts it in proper form.

Mr. GRONNA. Would not that prevent the husband from getting the low rate?

Mr. LODGE. Oh, no; he is made a special exception just the same.

Mr. O'GORMAN. It permits the wife and child or children of an alien to secure a reduced rate, whether they accompany the parent or not.

Mr. LODGE. Whether they accompany the parent or are sent for.

Mr. O'GORMAN. It accomplishes, I am sure, just what the Senator from North Dakota has in his mind.

Mr. GRONNA. Then I did not hear the Senator from New York correctly. Will the Senator restate his amendment?

Mr. O'GORMAN. Beginning with the word "except," in line 18, on page 2, the clause will read:

Except that with respect to the wife, child, or children of an alien, said tax shall be \$4.

Mr. GRONNA. What will be the tax on the alien?

Mr. O'GORMAN. Six dollars.

Mr. GRONNA. I intended that the tax of \$4 should apply to the husband as well as to the wife and children.

Mr. LODGE. It does, as the Senator from New York has drafted it.

Mr. GRONNA. I think not.

Mr. LODGE. It says "with respect to the wife, child, or children of an alien said tax shall be \$4 for each such alien, wife, and child."

Mr. O'GORMAN. It will cover it.

Mr. LODGE. It makes the tax \$4 for each of the family—father, wife, and children. I think that is just what the Senator wants to effect and it is in better language.

Mr. GALLINGER. But, manifestly, there is then a discrepancy between the \$6 assessed on line 16 against an alien. That would have to be changed.

Mr. LODGE. Where?

Mr. GALLINGER. In line 16, which provides "that there shall be levied, collected, and paid a tax of \$6 for every alien."

Mr. LODGE. This is an exception. It excepts a man with a family.

Mr. GRONNA. Does it not except the wife and children?

Mr. LODGE. It excepts them all, because it says "with respect to the wife, child, or children of an alien said tax shall be \$4 for such alien, wife, and child." What is such alien? The alien who has a wife and children. It is as clear as it is possible to make it.

Mr. GALLINGER. Does the Senator think that it is good policy to assess a tax of \$6 upon aliens who are without families and \$4 upon aliens who have families?

Mr. LODGE. I think it is much better. I explained the reason why to the Senate when the Senator was out. The desirable immigrant, of course, is the man who comes here with a family and children intending to settle and become a citizen. The presence of his family is a guarantee of that intention—that he comes here meaning to remain. A large portion of the adult males who will pay the \$6 tax are men who come to this country in the spring, work through the summer, and go back in the autumn, taking their wages with them. That tax affects a class that is undesirable in many respects, and the single men who come here with the intent of remaining can afford to pay the \$6. The provision equalizes the tax and gives a distinct advantage to the man with a family, which the bill as it passed the House does not give.

Mr. SMOOT. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. GRONNA. I yield.

Mr. SMOOT. I wish to say to the Senator from Massachusetts that in an untold number of cases the husband comes in advance of his family.

Mr. LODGE. Certainly, and we have changed the bill so as to cover those cases by adopting the amendment of the Senator from New York.

Mr. SMOOT. Then I happened to be out of the Chamber and did not know it.

Mr. LODGE. The clause has been rephrased. I will state to the Senator it now reads "except that with respect to the wife, child, or children of an alien said tax shall be \$4 for each such alien, wife, and child."

Mr. GALLINGER. That necessarily implies that the family accompany the alien; but if the alien precedes them, then what?

Mr. LODGE. It was phrased by the Senator from New York with the precise object of covering it whether the family accompanies the alien or is sent for, and it seems to me it is so plain that no distinction can be drawn. It says that the tax shall be \$4 on the wife, child, or children of an alien; that is, if the wife and children be the wife and children of an alien, they pay \$4, and also the tax shall be \$4 on such alien—that is, the alien who has a wife and children—no matter how he comes.

Mr. GALLINGER. No matter whether they are in Europe or on shipboard.

Mr. LODGE. Of course the tax can not be levied on them if they are in Europe.

Mr. GALLINGER. But let us understand this provision. The Senator sees it very clearly. I do not. An alien comes here in advance of his family. Are you going to assess only \$4 on him because he has a wife and children in Europe who are coming here? Is that the idea?

Mr. LODGE. Yes; that is the understanding.

Mr. GALLINGER. They may never come.

Mr. LODGE. He has to make proof of it, of course.

Mr. GALLINGER. I think it is not as clear as the Senator thinks it is.

Mr. LODGE. The Senator agrees with me to make the tax \$4 on that alien and on his wife and children.

Mr. GALLINGER. But then it is a discrimination against the man who has not a wife and children and pays \$6, provided the wife and children never come.

Mr. LODGE. I see the objection the Senator makes. On the other hand, it is undesirable to limit it to accompanying the alien, because he may come here with the intent of sending for them later, and we want to relieve him of the payment of the extra \$2.

Mr. GRONNA. Do I understand that the amendment proposed by the Senator from New York was adopted?

The PRESIDING OFFICER. It has not yet been adopted. It is pending.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Idaho?

Mr. GRONNA. Certainly.

Mr. BORAH. May I ask for a reading of the amendment proposed by the Senator from New York in order to clarify this ambiguity?

The PRESIDING OFFICER. The Secretary will read the amendment to the amendment.

The SECRETARY. Amend the proposed amendment of the committee on page 2, beginning in line 18.

The committee propose at that point, after the words "United States," to insert the words:

Except that with respect to an alien accompanied by his wife, child, or children said tax shall be \$4 for each such alien, wife, and child.

The Senator from New York proposes to amend by striking out the words "an alien accompanied by his" and inserting the word "the" before the word "wife," and after the word "children," in line 19, to insert the words "of an alien," so that the amendment of the committee if amended will read:

Except that with respect to the wife, child, or children of an alien said tax shall be \$4 for each such alien, wife, and child.

Mr. GRONNA. The amendment which I offered was accepted by the chairman of the committee. We will then have to reconsider that amendment before this amendment can be adopted.

Mr. SMITH of South Carolina. I do not think that is necessary if the Senator prefers the amendment of the Senator from New York.

Mr. GRONNA. I have no objection to the amendment of the Senator from New York.

Mr. LODGE. It will be open to further amendment.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from New York [Mr. O'GORMAN] to the committee amendment.

Mr. REED. Does the Senator from Idaho desire to offer something?

Mr. BORAH. Not if the Senator from Missouri is going to discuss this particular amendment.

Mr. REED. I was not. I was going to ask for some more light as to the parliamentary situation.

Mr. BORAH. I should like to have some light also.

Mr. REED. I want to inquire if the motion to take up this bill was made in the morning hour by unanimous consent, and if unanimous consent was given to make the motion?

Mr. SMITH of South Carolina. I should like to state to the Senator from Missouri that immediately upon the announcement by the Vice President that the morning business was closed I moved to take up the bill. The question was put to the Senate, and, by a vote, it was taken up in regular order, and the Senate is now proceeding with its consideration under that agreement.

The PRESIDING OFFICER. The Senator from South Carolina has correctly stated the order that was made by the Senate, as the Chair understands it.

Mr. REED. The point on which I am making inquiry is whether the morning business had been concluded and it had been so announced.

Mr. SMITH of South Carolina. It had.

The PRESIDING OFFICER. It had been so declared.

Mr. REED. I still have the floor. If the Senator from Idaho [Mr. BORAH] desires to discuss this phase of the matter, I will yield the floor to him.

Mr. BORAH. No; I was simply desiring to satisfy my mind as to just what this amendment means. I think, as I understand it, I have no objection to it. Therefore I do not care to discuss it.

Mr. McCUMBER. Mr. President, I merely wish to make a suggestion with reference to the amendment that has just been adopted, which was offered by the Senator from New York [Mr. O'GORMAN].

The PRESIDING OFFICER. The Senator from North Dakota will permit the Chair to state that the amendment to the amendment has not yet been adopted. It is pending.

Mr. McCUMBER. Then let me make this suggestion. It is to a certain extent very obscure, as has been suggested by the Senator from New Hampshire [Mr. GALLINGER]. Suppose a married alien comes here first. He is not bringing his family with him. There must therefore be an assessment of \$6 against him, although he is married. Then if we adopt the amendment offered by the Senator from New York, it will provide after you have already assessed and collected \$6 the charge against that alien shall be \$4, because it says "for each such alien, wife, and child." Any alien who is fit to come to the United States I think probably could stand the test of the two extra dollars; we do not need to spend a great deal of time on this question, but the law ought to be certain as to what shall be charged against the alien as he enters one of our ports. We can not fix it at \$6 and then in the very last part of the amendment provide that such alien shall pay \$4 whether he is accompanied by his wife or not.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Massachusetts?

Mr. McCUMBER. I yield.

Mr. LODGE. I think the point made by the Senator from New Hampshire and the Senator from North Dakota is well taken, and it leaves a very doubtful point about the alien who comes and whose wife and children are left behind. I think we shall have to reword the amendment to reach the object that we all desire to attain. I would suggest to the chairman that we might pass over this amendment for the present and dispose of it later, when we shall have had an opportunity to put it in proper form.

Mr. GALLINGER. I hope that will be done.

Mr. McCUMBER. I will state to the Senator that if we desire to charge \$6 when the alien comes alone without a family in the first instance and only \$4 if he accompanies his family, that amendment could be made by striking out, in line 20, the words "such alien."

Mr. SMITH of South Carolina. I ask unanimous consent that the amendment be passed over and the committee will reword it in such form as to meet the very point now made.

Mr. SMITH of Georgia. Before it is passed over I suggest this language, which will completely cover it:

Except that the tax on the wife, child, or children of an alien shall be \$4 each for such wife and child and for such alien if said wife, child, or children accompany him.

Mr. SMITH of South Carolina. That is exactly what we have now.

Mr. SMOOT. I want to say to the Senator that there are innumerable cases of aliens coming to this country unaccompanied by wife and children, but they come here to become citizens and as soon as they get money enough they send for their families.

Mr. LODGE. Certainly.

Mr. SMOOT. A man of that kind should not be taxed \$6, it seems to me. I think he ought to be taxed \$4, the same as the man who has his family accompanying him.

Mr. LODGE. The amendment will have to be reworded to meet those cases. I hope the Senate will pass it over so that it may be put in proper shape.

Mr. SMITH of Georgia. Mr. President, I meant to say only a word. If a man comes without his family, I want him to pay \$6. I meant to put it clearly that he would pay \$6 if he did not bring his family with him at the time he came. You will produce almost inexplicable confusion if you undertake to make him pay \$4 when he has a wife and children abroad and says he probably will bring them in at a future time. It will be a simple proposition to say that the tax shall be \$6 unless he brings his family along with him.

Mr. SMOOT. The amendment suggested by the Senator from Georgia plainly states that.

Mr. SMITH of Georgia. That is what I meant by it.

Mr. GALLINGER. I join in the request made by the Senator from Massachusetts. I am sure the chairman of the committee will see to it, if the amendment is passed over, that it shall be given proper consideration. It is a very important matter.

Mr. GRONNA. I have no objection to the amendment being passed over; but I am quite sure that by striking out the words I suggested we could dispose of it. I am quite sure that if the husband accompanied his family he would have to pay only \$4. I am also quite sure that if he did not accompany his family the family would have to pay only \$4. Of course

he would have to pay \$6 if he came alone, and that, I understand, the committee intends to be the law.

Mr. LODGE. That is just what we want to reach. I think it needs to be worded carefully, and therefore it should be passed over.

Mr. GRONNA. I do not object.

The PRESIDING OFFICER. Without objection, the pending amendment will be passed over and the next amendment will be stated.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hughes	O'Gorman	Smith, Ariz.
Bankhead	James	Overman	Smith, Ga.
Borah	Johnson	Page	Smith, S. C.
Bryan	Kenyon	Perkins	Smoot
Burton	Kern	Pittman	Sterling
Camden	La Follette	Pomerene	Stone
Chamberlain	Lane	Reed	Thomas
Clark, Wyo.	Lee, Md.	Robinson	Thompson
Culberson	Lippitt	Root	Thornton
Dillingham	Lodge	Saulsbury	Tillman
Gallinger	McCumber	Shafroth	Walsh
Gore	Martin, Va.	Sheppard	Warren
Gronna	Martine, N. J.	Sherman	White
Hardwick	Myers	Shively	Works
Hollis	Norris	Simmons	

Mr. SMOOT. I desire to make the same announcement of pairs that I made on the last roll call.

Mr. CHAMBERLAIN. I desire to make the same announcement with reference to the pair of the Senator from West Virginia [Mr. CHILTON] that I made a while ago. I will let that announcement stand for the present.

Mr. MARTINE of New Jersey. I was requested to announce that the Senator from Tennessee [Mr. LEA] is unavoidably absent on public business.

Mr. THORNTON. I again desire to announce the unavoidable absence of my colleague [Mr. RANDELL] on public business. I will let this announcement stand for the day.

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum is present. The Secretary will read the next amendment of the committee.

Mr. REED. Mr. President, what became of the amendment which was pending?

The PRESIDING OFFICER. It was passed over by unanimous consent.

Mr. REED. Oh, no; unanimous consent was not asked or granted.

The PRESIDING OFFICER. The statement was made by the Chair that it would be passed over unless there was objection, and no objection was interposed.

Mr. REED. I did not hear the Chair's statement, but that would not amount to a unanimous consent.

I wish to say to the Senators in charge of this bill that I have not any desire to try to obstruct its passage, but I want an opportunity to examine it. I do not know what is in it. No one but the committee has had any opportunity to know what is in the bill. We meet here on what is substantially the first day of the session a bill of far-reaching importance, without any intimation or notice that it will be called up for action, but suddenly a motion was made only a few moments after the Senate was in session.

Mr. SMITH of South Carolina. Will the Senator from Missouri allow me?

Mr. REED. I will yield in a moment, when I finish this statement. Only a few moments after the Senate had convened a motion is made to take up the bill, and there is, it seems to me, a manifest purpose to push it through as rapidly as possible. It is a bill we have no right to pass upon hastily. It ought to be carefully examined. It ought to be thoroughly understood by the Senate.

I think the friends of the bill would be acting in accordance with the proprieties of the situation if they would not attempt to force this bill through to-day, but would take some action that would permit an examination of the bill and an understanding of it. It is rather unusual for a great bill of this kind to be brought in and not a single man representing the committee or anyone else to have a word to say about it or in any way to elucidate it or to state the reasons for the legislation or what is contained in the bill. I say it is exceedingly unusual.

The bill may be one of great merit; it may be one fraught with great evil; I do not know. So far as I am concerned, I intend to take such action as may be necessary in order to

secure a reasonable time in which to examine this measure. I think that ought to be granted willingly by the committee.

I now yield to the Senator from South Carolina.

Mr. SMITH of South Carolina. If the Senator from Missouri will refer to the title-page of the bill he will see that it passed the House February 5, 1914, and came to the Senate and was sent to our committee and there considered, and it was reported from the committee last March. The bill has been printed in its present form and has been upon the calendar since some time in March. From time to time I have attempted to bring the bill up, but on account of other pressing matters its consideration was postponed.

I wish to state further that I suppose there never has been a bill introduced in the Senate that has had as much discussion as this bill. This is practically the identical bill that was introduced, discussed, and passed by both Houses and then vetoed by President Taft. It was passed by the Senate over the President's veto, but it was defeated in the House by a small majority. It was then reintroduced, and at the beginning of the present session of Congress it passed the House overwhelmingly and came to the Senate and was considered by the committee and reported nearly six months ago, with a full report made by the chairman, with the assistance of the Commissioner General of Immigration, meant to cover all the points and giving reasons for the few verbal changes that the Senate committee made, for we made none of any vital importance in the general text of the bill. We merely corrected some verbal errors, and in one instance alone did we leave out a section which was objected to and which objection appeared valid to the committee, the section in reference to putting matrons, inspectors, and surgeons on board foreign vessels bringing immigrants to our shores. We simply changed that so as to provide for inspection on this side.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I do.

Mr. BORAH. I want to ask the Senator from South Carolina if there are any distinct or substantial differences between this bill and the bill which was previously passed by Congress?

Mr. SMITH of South Carolina. There are none. It is practically identically the same bill, with just a few verbal changes to make the meaning clearer. As I said a moment ago, the only changes were where there was strenuous objection from the representatives of foreign Governments against permitting our physicians and matrons to be put on board their vessels.

Mr. GRONNA. Mr. President—

The PRESIDING OFFICER. The Senator from Missouri has the floor. Does he yield further?

Mr. REED. I yield.

Mr. GRONNA. I wish simply to say, being a member of the committee, that, while what the chairman has said is true, of course in many respects, this is the same as the immigration bill which was passed during the last Congress, there are also some new things in the bill which are very different; there are some provisions which are entirely new. Take, for instance, the provision on page 1, which was just agreed to. It is of very great importance, but it was not in the bill which was passed during the Taft administration.

Mr. SMITH of South Carolina. But it was in the bill as it passed the other House at the last session, and substantially it is the same. The changes made by the Senate committee are very unimportant, and the changes made by the other House, so far as I have been able to ascertain by referring to the old bill and to the present law, are not vitally material.

Mr. MARTINE of New Jersey. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield; and if so, to whom?

Mr. REED. I will yield to the Senator from New Jersey, unless he wishes to make some extended observations on the bill. If so, I should like to conclude this colloquy, and then I shall yield the floor.

Mr. MARTINE of New Jersey. Very well.

Mr. REED. Mr. President, what the Senator from South Carolina, who is in charge of the bill, has stated is true; and yet it is a good illustration of the fact that a man can state the exact, absolute truth, and yet the matter not be presented in a very complete form. It is true the bill was sent here by the other House on the 5th day of February, 1914; that during all of that time the bill has been here; and any Senator who desired to do so might have examined it; but it is also true that it was well understood at the last session that this bill would not be brought forward at that session; that there were other matters of more pressing importance. Accordingly, no Senator was called upon to study the bill; indeed it was his duty to

devote his time and attention to measures which were then pressing for passage. The fact that a bill has been sent here does not at all imply that it is the duty of Members to undertake its analysis and study under conditions of that kind. There are a great many bills upon the calendar, but none of us undertake to read those bills long in advance of the time they are to be brought forward, unless we are upon committees to which they have been referred or are otherwise specially concerned in them.

I have not had the opportunity to read this bill, and many other Senators, I suppose, are in the same position in which I am. It is an important bill; it affects a great many of our citizens, because many of them have left behind them their families and relatives who are dear to them. Then it affects generally the whole population of the country, because it raises the great questions always involved in matters concerning immigration. It is true an immigration bill was passed two years ago and vetoed; it is true that that bill was afterwards passed by the Senate over the veto of the President, Mr. Taft; but surely we are not going to pass this bill upon debates which took place before another Congress, two years ago, particularly when it is well known that the bill is not identical with the one which was then under consideration.

Some Senator ought to give the Senate some light as to the reasons why it is necessary to make these radical changes in our immigration laws. The bill ought not to be passed in the dark or in a hurry. I say again to the chairman of the committee that I hope he will allow the bill, under some proper agreement—I have no desire to have the bill lose its parliamentary advantage, if any it has—to be laid aside until we can have an opportunity to examine it. Otherwise we shall be compelled to take the time of the Senate in discussing various phases of the bill, as we have been during the last hour. I hope the chairman of the committee will adopt that suggestion.

Mr. SMITH of South Carolina. Mr. President, the present status of affairs is that we are now considering committee amendments to the bill. As I said before, practically all of the Senate committee amendments are not of very great importance; they are merely verbal changes. I do not know that there need be any very extended explanation of them. Such explanation, however, as is necessary I hope I can give as the committee amendments are reached. After the committee amendments are disposed of, as a matter of course each and every Senator will have ample opportunity, which the Senate always guarantees to every Member, to discuss the bill in its vital relations. I am simply trying to dispose of the Senate committee amendments in order to get the bill in the proper shape to be presented as a principle to be discussed by the Senate. The bill has proceeded thus far, and I hope the Senator from Missouri has had ample opportunity to discharge his duty as a Senator, to study the bill in its entirety, and will vote for it or against it as his judgment may dictate.

Mr. O'GORMAN. Mr. President, I am a member of the committee from which this bill has been reported, although I am not in accord with the majority of the committee regarding at least one vital feature of the bill. That feature is the so-called literacy clause. I am opposed to that clause, and I know there are other members of the committee who are opposed to it.

In common with the Senator from Missouri [Mr. REED], although a member of the committee, I was surprised that this measure was pressed upon the attention of the Senate to-day. I was engaged at a committee meeting held at 12 o'clock to-day, when, as I am informed, immediately upon the convening of the body the chairman of the Committee on Immigration sought and obtained permission to have this bill considered by the Senate. As one of the committee I think the request tendered by the Senator from Missouri is a reasonable request. No intimation has been given to this body during the two or three days that we have been together that this very important bill was going to be pressed upon our attention to-day, or, indeed, at any time during the session. On yesterday we attended with the other House in the Chamber of the House of Representatives and listened to the message of the President. The President indicated certain phases of necessary legislation which, in his judgment, ought to receive our attention during this short session. He evidently was not impressed with the need of taking up this immigration problem at this time, for he made no reference to it.

I do hope that the chairman of the committee will withhold his objection to what I conceive to be a very reasonable request made by the Senator from Missouri, that the bill be laid aside at least for a day or two.

Mr. MARTINE of New Jersey. Mr. President, it does seem to me that if ever a bill should have been referred to the Committee on Education and Labor this bill should have been so referred. Being a member of that committee, I felt an interest

in the matter and had a hope that the bill might go to that committee, and that I at least might have an opportunity to express my views on the subject. For reasons I know not, however, the bill was referred to the Committee on Immigration. Of course, immigration is affected by the bill.

I am opposed to the bill, and if it has got to pass this body in the shape in which it is now presented, while I am willing to concede that there may be much of good in the measure, at the same time, according to my views and understanding, there is much of evil in it.

I am opposed in toto to that clause of the bill found on page 8, beginning at line 10, which bars "all aliens over 16 years of age, physically capable of reading, who can not read the English language or some other language or dialect, including Hebrew or Yiddish."

I am opposed to a literacy test. I claim that such a test proves nothing. The most glib-tongued scoundrel and consummate villain that God's sun ever shone upon might be able to translate all the languages known to the human tongue and yet be a man who would be evil and detrimental to a community. I claim that notwithstanding the fact that one is not able to read or translate Yiddish or Hebrew, he may be a surpassingly good citizen. I have known in the course of my life many men in the city of New York, where I was born, who were utterly and absolutely incapable of reading the English language, who could neither read nor write their own names, and yet who carved out great fortunes in that metropolis, who made of themselves splendid citizens, and who reared grand families.

To press such a proposition as this would be almost inhumane. It is un-American; it is utterly ungenerous. As I said a year ago, when a bill of a similar character, which was vetoed, was under consideration here, this proposition, carried to its finish, would have barred my good mother, from whose bosom I drank the milk of justice and liberty; and, by the eternal heavens, I shall never vote for a measure that would bar one with a clean body, a moral mind, a holy, generous, and humane purpose, from the blessings of liberty that this Government and this grand land vouchsafe.

I trust, if the bill is going to be pressed in its present shape, that it may be overwhelmingly defeated. I shall earnestly sustain any proposition to recommit this bill to the committee or which ultimately, I hope, will absolutely defeat it in its present form.

The PRESIDING OFFICER. The Secretary will state the next committee amendment.

The next amendment was, in section 2, page 3, after the word "vehicle," at the end of line 3, to insert "or when collection from the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance, or vehicle bringing such alien to the United States is impracticable," so as to read:

The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States, or by the alien himself if he does not come by a vessel, transportation line, or other conveyance or vehicle, or when collection from the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance, or vehicle bringing such alien to the United States is impracticable.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. REED. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Oliver	Smith, Ga.
Bankhead	Hughes	Overman	Smith, Md.
Borah	James	Owen	Smith, S. C.
Brandegee	Johnson	Page	Sterling
Bryan	Kenyon	Perkins	Stone
Burton	Kern	Pittman	Swanson
Camden	Lane	Pomeroy	Thomas
Chamberlain	Lippitt	Reed	Thompson
Clark, Wyo.	Lodge	Robinson	Thornton
Culberson	McCumber	Root	Walsh
Dillingham	Myers	Saulsbury	Warren
Gallinger	Nelson	Sheppard	White
Gronna	Newlands	Sherman	Works
Hardwick	Norris	Shields	
Hitchcock	O'Gorman	Simmons	

Mr. BRYAN. I desire to announce the necessary absence of my colleague [Mr. FLETCHER] on official business.

Mr. KERN. I desire to announce the unavoidable absence of the senior Senator from Tennessee [Mr. LEA]. This announcement may stand for the day.

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. So a quorum is present. The Secretary will state the next committee amendment.

The next amendment of the Committee on Immigration was, in section 2, page 3, line 8, after the word "vehicle," to strike out "or" and insert "of," so as to read:

The tax imposed by this section shall be a lien upon the vessel or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy.

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 14, after the word "levied," to strike out "on account of aliens who have in accordance with law declared their intention of becoming citizens of the United States or," so as to read:

That the said tax shall not be levied on account of aliens who shall enter the United States after an uninterrupted residence of at least one year immediately preceding such entrance in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, etc.

Mr. REED. Mr. President, I have requested, in as courteous a manner as I am able to command, that the chairman of the committee permit this bill to lie over, in order that it may be examined. He has declined to do that. I say again that I do not desire to be put in the attitude of obstructing the consideration of any bill or of obstructing this particular bill, but if a committee insists on forcing action upon a bill without debate, without consideration, and without time for consideration, the only thing left to a Member is to insist upon getting the time in some other way.

Mr. BORAH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Idaho?

Mr. REED. I yield.

Mr. BORAH. Mr. President, I sympathize with the desire of the Senator to have an opportunity to investigate and discuss so important a measure. I have thought it probable that the Senator in charge of the bill would be willing to agree upon a day certain to vote sufficiently late in the session to allow every Senator to have an opportunity to investigate the bill. I inquire if that would be satisfactory to the Senator from Missouri?

Mr. REED. Mr. President, I do not want to commit myself in regard to the measure at all. I do not know what is in it; I have had no opportunity to ascertain what is in it.

Mr. BORAH. My idea was that if the day to vote was postponed sufficiently long, even though we were not in favor of the bill, we would vote upon it at some time, and that it would be safe to agree upon a day certain to vote if the date were far enough along to enable us to know precisely what we were voting on. I merely suggested that, and thought it might facilitate the consideration of the measure.

Mr. REED. The difficulty about an agreement of that kind with reference to a bill that has not been examined, and with no opportunity afforded for its examination, is that one would be bargaining about a "pig in a poke," speaking of the bill with all due respect. It is one thing to agree on a day certain with reference to a bill that you have examined and the merits of which you understand; it is quite another thing to agree to vote on a particular day with reference to a bill that is not understood and has not been discussed.

I do not like to be put in the embarrassing position of demanding roll calls. I want it fully understood that, if I am doing so, it is because the committee is insisting upon action at this time and under these unusual and remarkable circumstances.

We have been told by the chairman of the committee that all the committee are asking is to consider the committee's amendments. How is any man to understand the importance of a committee amendment who has never read the bill and has had no opportunity to read the bill? How is he to tell whether the amendment is proper or improper until the bill has been examined? Manifestly he can not do so. Therefore it becomes necessary to get time by whatsoever method time can be obtained.

I say, Mr. President, it is a very remarkable spectacle to find a bill brought forward that affects the lives and fortunes of millions of people, that affects for good or bad the entire country, and not a single man rise to advance an argument in favor of the bill; not a single man undertake to make a statement with reference to its contents or the necessity for its enactment; and it is a very singular performance, an unusual performance, to have a bill of this character thrust forward at this period of a session. We were detained here nearly all summer. After a short recess we come back. The first day is given to a few moments confined to the matter of organization and roll call, all business awaiting the message of the President. The second day the President delivers his message, and says not a word with reference to this proposed legislation.

I arrived at the Senate to-day, I think, about seven or eight minutes past 12 o'clock, the hour of convening—I may have entered the Chamber a very few minutes later—and found this bill had been placed, by motion, in the position of unfinished business. I do not think that is the right way to bring forward a measure of this importance—I say it with great respect to the committee—and I do most sincerely trust that we shall not be compelled to gain time by insisting upon every parliamentary right.

So far as I am concerned, when I have had an opportunity to examine this bill, if I have anything to say with reference to it I shall say it, and that will end the matter. If I have nothing to say, I shall be prepared to vote when the vote is reached; but if the bill is to be brought forward in this way and no time given, I shall with very great regret do whatever I am obliged to do in order to get time.

Mr. SMITH of South Carolina. Mr. President, it is needless for me to repeat what I have already said, but I want to emphasize one fact: There was no attempt made to take snap judgment on the Senate; there was no attempt made to debar any man from discussing the bill. That goes without saying. The committee believed that every Member of this body was more or less familiar with the bill and with its intent and purposes. As I said to the Senator from Missouri in the beginning, and repeat now, the Senate amendments do not touch the vital issue in the bill. They are more or less simply verbal corrections to the general text.

The bill is now before the Senate. It can make what disposition it pleases of the bill. So far as concerns time being given to discuss its merits or demerits, I presume there will be ample time for that; but I do feel that in a way I have been derelict in my duty in not pressing it more vigorously since it has been reported out of our committee. In deference to certain other legislation, however, certain pressure here that seemed insurmountable, I yielded when perhaps I should have made a more strenuous fight. The House had expressed itself time and time again in a nonpartisan way; the Senate had expressed itself upon practically the same bill; and I was laying myself open to criticism here because of what some seemed to think were dilatory tactics or lack of interest in the bill itself.

Mr. LODGE. Mr. President, will the Senator allow me a word at this point?

Mr. SMITH of South Carolina. To be sure.

Mr. LODGE. The bill now under consideration is almost precisely the same as the bill that passed in the last Congress, as the Senator has just stated. That bill was thoroughly discussed in both Houses, was vetoed by President Taft, and was passed by the Senate over his veto. There is no essential change at all in the bill.

Mr. SMITH of Georgia. I believed it lacked less than 10 votes of passing in the House, also, over the President's veto.

Mr. LODGE. Yes; it passed here over the veto.

Mr. SMITH of South Carolina. Mr. President, I disclaim and am unwilling to be put in the attitude of attempting by indirection to do what I have a right to do directly on this floor. I gave notice before the close of the last session that at this session of Congress I should use every opportunity to bring up this bill and force it to passage. As the Senator from Georgia reminds me, two days before the session closed I gave that notice. I have used no indirection. I am not trying to railroad anything. This bill and all of its contents are more or less familiar to every man on this floor, and I do feel that I have been more or less derelict in my duty as the chairman of a committee in charge of a bill of such importance as this because I have not been more insistent in forcing it to the attention of the Senate.

This morning I came in, and when the President of the Senate announced that morning business was closed I got up and in the regular order moved to take up this bill and proceed to its consideration. The motion was put and carried, and then, when we had gotten into the bill, the Senator from Missouri came in and asked for time. As a matter of course, that is a question for him to decide. My duty, as the chairman of the committee charged with a bill that has been on the calendar for the entire session, is to see that it is given due consideration, and now that it is before the Senate to keep it before the Senate until its final disposition.

Mr. O'GORMAN. Mr. President, will the Senator from South Carolina state whether any of his colleagues on the committee have requested him to withhold consent to the request made by the Senator from Missouri?

Mr. SMITH of South Carolina. They have not. I hope they would not attempt to do such a thing.

Mr. O'GORMAN. I assume that the Senator in his action is attempting to reflect the desires and wishes of the entire

committee. As a single member of the committee, I indicated some time since that I think the request of the Senator from Missouri is a very reasonable one and ought to be granted, and I should be surprised to learn that any other member of the committee would not entertain the same view that I have expressed regarding the reasonableness of the Senator's request. No harm can be done. No one will complain that the very able and distinguished chairman of the committee has not done everything in his power to advance the bill. I know he did it at the last session, and I am sure he will do it at this session; but I think, consistently with every effort he desires to make, he might well, so far as it rests with him, yield to the request made by the Senator from Missouri to have this matter simply laid aside temporarily for a day or two, without prejudice to the parliamentary situation.

Mr. SMITH of South Carolina. Mr. President, so far as the request of the Senator from Missouri is concerned, I repeat that these amendments are not vital. Whether they are accepted or rejected will not change the general meaning and features and principles of the bill. It was in the hope of expediting the general business that I wished to get the matter out of the way. The Senate can either accept or reject the bill, as it sees fit. So far as I am concerned, I shall perhaps from time to time, if the debate justifies it, ask that the bill be temporarily laid aside without prejudice; but as far as I am able, now that the bill is before the Senate, I do not propose that it shall be displaced by any other matter until it is disposed of. I do not propose to have it lose its place as the unfinished business until it is finished.

Mr. SMITH of Georgia. Mr. President, possibly we might harmonize the conflicting views and give those who hesitate about voting now an opportunity for further consideration, if they would meet the friends of this measure halfway by a unanimous-consent agreement, fixing a day the latter part of next week, say, upon which we shall vote upon this bill.

There are a number of Senators who are very deeply interested in this measure, who brought it before the Senate a number of times at the last session, both on the floor of the Senate and in the Democratic caucus, and who were seeking to make it the very next business to be considered by the Senate at the last session. On the Thursday before the last session adjourned I had occasion on the floor of the Senate to refer to this measure and my earnest desire to see it pressed to speedy passage, and at that time the Senator from South Carolina, as chairman of the committee, assured the friends of the measure that at the first possible moment he would endeavor to take up the measure and put it before the Senate and keep it before the Senate until it could be acted upon.

I know how rapidly the Senator from Missouri masters any questions upon which he puts his mind. I would not wish to press this bill to a vote until he had had opportunity to give it careful examination. Those of us who are ready to vote are largely influenced by the result of the careful attention we gave to the measure at the last Congress, when it was fully debated, and when we had the satisfaction of passing it, despite the veto of the President; at least, we passed it through the Senate. I think a number of us have been right with the Senator from South Carolina in the purpose to make this measure the first unfinished business of the present session. I know that was the plan before the last session of Congress adjourned. We have at the first opportunity made it the unfinished business. If Senators now desire to have it temporarily laid aside, it seems to me it is as little as they can do to join with that request a unanimous-consent agreement that, say, not later than Friday or Saturday of next week we shall have a vote upon the bill, and continue to vote upon the bill and amendments until it reaches its final passage.

This is not a new matter before the Senate. It is not a new matter to any of the Senators who were here at the last Congress. The great bulk of the matter in this bill is just what we then had before us, and what was quite elaborately discussed upon the floor of the Senate and passed almost unanimously by the Senate. The real issuable feature in this bill, really the feature that is the great issue in this bill, the literacy test, was in the last bill; and with almost unanimity—with, I believe, at least a three-fourths vote—the Senate adopted the literacy test. I am myself cordially for it. I do not know a better plan than its use by which to handle the subject. There are some changes, which it seems to me are not very important, from the bill that we passed before; and surely the Senator from Missouri in two or three days will have all the time he may wish to investigate it. I, for one, would be glad to concede a request that the bill be temporarily laid aside if we could obtain a unanimous-consent agreement to vote upon it not later than the last of next week. If we can not, however, then we are going to consume time on it. This is the short session, and I

am not sure that we will not make our best progress by keeping it before the Senate and consuming the time.

Mr. O'GORMAN. Mr. President, may I ask the Senator a question? Does the Senator from Georgia think that the interests of the bill can be prejudiced by having it temporarily laid aside by consent for a day or two, without exacting conditions which, of course, would not be granted?

Mr. SMITH of Georgia. I do not know but that they would be granted. My personal view was that they would be. The suggestion is merely that it be temporarily laid aside without losing its place as the unfinished business. What we would object to, speaking for myself alone, would be to having the bill lose its place as the unfinished business.

I confess that I am more interested in this measure than I am in some other measures that will be pressed during the present session of Congress, and I am quite averse to the bill losing its status as the unfinished business. Barring that, if it is not to lose its status as the unfinished business, I think without any injury at all it may be temporarily laid aside for a day or two.

Mr. O'GORMAN. That was the suggestion of the Senator from Missouri. He specifically stated that he had no desire to see the bill lose its parliamentary advantage.

Mr. SMITH of Georgia. I lost that part of his suggestion.

Mr. REED. I have not the slightest desire to obstruct the passage of this bill by any parliamentary tactics, or by seeking to cause it to lose any of its present advantages. I simply wanted time to examine the bill. I thought there would be ready acquiescence in a request for unanimous consent to lay aside the measure temporarily without prejudice, which is all I have asked. When that has been done, and the time arrives to take it up again, I shall be disposed to do all I can to facilitate its consideration, reserving to myself, of course, the right to take such action as I may deem proper at the time with reference to the merits of the bill or any amendment to it.

I have not tried to displace the bill. I have not asked that, and I do not intend to delay its progress. If it goes over until day after to-morrow, that will give us a day to look at it.

Mr. SMOOT. Mr. President, I wish to say to the Senator from Georgia that it is quite an unusual thing, when a Senator makes a request such as the Senator from Missouri has made, not to grant it, where there is evidence on his part that there is to be no effort to delay the measure when he has had an opportunity to familiarize himself with it.

Mr. SMITH of South Carolina. If the Senator from Utah will allow me, I will say, in reply to the Senator from Missouri, since he has frankly stated that he does not desire to have any other bill take the place of this bill, that if it is according to the rules of the Senate, or if the Senators here will by unanimous consent agree to laying it aside temporarily, and that no other measure shall be made the unfinished business, and state definitely the time at which it shall be taken up—

Mr. SMITH of Georgia. It will come up to-morrow at 2 o'clock.

Mr. SMITH of South Carolina. But I want an understanding to that effect, because the rules provide that if another bill, by motion, is taken up and discussed, this bill will be displaced until that bill is disposed of.

Mr. SMOOT. Let me suggest to the Senator right there that the friends of the measure could vote down any other bill that might be presented to the Senate. The matter is entirely in the hands of the Senate. It is impossible to displace this bill. I am ready to vote upon it at this very minute; but I want to say to the Senator from South Carolina that he is perfectly safe in temporarily laying aside the bill without coupling it with the different statements or conditions made by him.

I know that this is virtually the second day of the session, and the Senate has not yet gotten into working order, and I think the request of the Senator from Missouri is a very reasonable one. The Senator can ask unanimous consent that the bill be temporarily laid aside; and if that is not objected to, it becomes the unfinished business.

Mr. GALLINGER. Mr. President, just a word. This bill can not be displaced by any other measure, because the Senator knows, as I do, that a large majority of the Members of the Senate are in favor of the bill. If the Senator now asks unanimous consent that it be temporarily laid aside, it will come up again to-morrow at 2 o'clock, and the Senator can then make the same request, if he thinks it desirable, and put it over another day; but it will still retain its place as the unfinished business. The Senator will be amply protected in every right under the rules by that procedure.

Mr. SMOOT. Not only that, but I can say to the Senator that I believe a majority of the Senate are in favor of the consideration of this bill, and he can make a motion at any time to take it up.

Mr. GALLINGER. That would not be necessary.

Mr. SMOOT. The Senator would be perfectly safe in taking that course.

Mr. SMITH of South Carolina. Mr. President, I have no disposition whatever to be discourteous or to refuse any reasonable request. Therefore, with the distinct understanding that this bill is to be temporarily laid aside, and that no attempt is to be made to take up any other measure—

Mr. SMITH of Georgia. That can not be done. The friends of the measure will resist any effort to displace it. I think we have the votes.

Mr. SMITH of South Carolina. Very well. Then, with that understanding, I ask that the bill be temporarily laid aside.

The PRESIDING OFFICER (Mr. PITTMAN in the chair). The Senator from South Carolina requests that the pending bill, H. R. 6060, be temporarily laid aside. Is there objection? The Chair hears none, and that course will be taken.

EXECUTIVE SESSION.

Mr. STONE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 18 minutes spent in executive session, the doors were reopened, and (at 3 o'clock and 37 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 10, 1914, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 9, 1914.

SECRETARY OF LEGATION.

Charles Campbell, Jr., of Virginia, lately secretary of the legation and consul general to Roumania, Servia, and Bulgaria, to be secretary of the legation of the United States of America at Berne, Switzerland, to which office he was appointed during the last recess of the Senate, vice William Whiting Andrews.

COLLECTOR OF CUSTOMS.

Herbert C. Comings, of Richford, Vt., to be collector of customs for customs collection district No. 2. New office created by consolidation of customs collection districts No. 2 and No. 3 by Executive order of November 21, 1914, under the authority conferred by the act of Congress approved August 1, 1914.

ASSAYER IN CHARGE OF MINT.

Leonard Magruder, of New Orleans, La., to be assayer in charge of the mint of the United States at New Orleans, La., in place of William M. Lynch, resigned. (Mr. Magruder is now serving under a temporary commission issued during the recess of the Senate.)

ASSISTANT APPRAISER OF MERCHANDISE.

Hugh A. Barnes, of Minden, La., to be assistant appraiser of merchandise in customs collection district No. 20, in place of William J. Brophy, resigned. (Mr. Barnes is now serving under a temporary commission issued during the recess of the Senate.)

COLLECTOR OF INTERNAL REVENUE.

George Hampton, of Bridgeton, N. J., to be collector of internal revenue for the first district of New Jersey, in place of Isaac Moffett, superseded. (Mr. Hampton is now serving under a temporary commission issued during the recess of the Senate.)

PROMOTION IN THE REVENUE-CUTTER SERVICE.

First Lieut. of Engineers Harry Lansdale Boyd to be senior engineer in the Revenue-Cutter Service of the United States, to rank as such from October 24, 1914, in place of Senior Engineer Willits Pedrick, retired.

Mr. Boyd is now serving under a temporary commission issued during the recess of the Senate.

PROMOTIONS AND APPOINTMENTS IN THE PUBLIC HEALTH SERVICE.

Passed Asst. Surg. Albert D. Foster to be surgeon in the Public Health Service, to rank as such from November 28, 1914.

This officer has served the required time in his present grade and has passed the necessary examination for promotion.

Passed Asst. Surg. Holcombe McG. Robertson to be surgeon in the Public Health Service, to rank as such from November 26, 1914.

This officer has served the required time in his present grade and has passed the necessary examination for promotion.

Sanders Lewis Christian to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Charles Joseph McDevitt to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Royd Ray Sayers to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Roscoe Roy Spencer to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Paul Morton Stewart to be assistant surgeon in the Public Health Service, to fill an original vacancy.

Walter Casper Teufel to be assistant surgeon in the Public Health Service, to fill an original vacancy.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

Frederick L. Siddons, of the District of Columbia, to be associate justice of the Supreme Court of the District of Columbia, vice Daniel Thew Wright, resigned.

THIRD JUDGE OF THE CIRCUIT COURT.

Thomas B. Stuart, of Honolulu, Hawaii, to be third judge of the circuit court of the first circuit of the Territory of Hawaii, vice William J. Robinson, whose term has expired. (Mr. Stuart has been given a recess appointment.)

ATTORNEY GENERAL OF PORTO RICO.

Howard L. Kern, of Iowa, to be attorney general of Porto Rico, to which office he was appointed during the last recess of the Senate, vice Wolcott H. Pitkin, jr., resigned.

UNITED STATES ATTORNEYS.

John D. Lynn, of Rochester, N. Y., to be United States attorney for the western district of New York, vice John Lord O'Brian, whose term has expired. (Mr. Lynn is now serving under a recess appointment.)

John A. Fain, of Lawton, Okla., to be United States attorney for the western district of Oklahoma, vice Isaac D. Taylor, appointed by the court. (Mr. Fain is now serving under a recess appointment.)

UNITED STATES MARSHAL.

Ewing G. Bland, of Kansas City, Mo., to be United States marshal for the western district of Missouri, vice Henry C. Miller, appointed by the court. (Mr. Bland has been given a recess appointment.)

REGISTERS OF THE LAND OFFICE.

Henry P. Andrews, of Red Bluff, Cal., to be register of the land office at Sacramento, Cal., vice John F. Armstrong, whose term will expire December 19, 1914.

Frederick M. Hedger, of Walla Walla, Wash., to be register of the land office at Walla Walla, Wash., vice John H. McDonald, term expired.

RECEIVER OF PUBLIC MONEYS.

William Goodyear, of Pullman, Wash., to be receiver of public moneys at Walla Walla, Wash., vice Jesse G. Miller, term expired.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

Brig. Gen. Frederick Funston, United States Army, to be major general from November 17, 1914, vice Maj. Gen. William W. Wotherspoon, retired from active service November 16, 1914.

Col. Henry A. Greene, Infantry, unassigned, to be brigadier general from November 19, 1914, vice Brig. Gen. Frederick Funston, appointed major general.

MEDICAL RESERVE CORPS.

To be first lieutenants, with rank from November 6, 1914.

Albert Thomas Cook, of Texas.

Arnott Kell Duncan, of Louisiana.

Delbert O. Smith, of Missouri.

William Walling van Dolsen, of New Jersey.

PROMOTIONS IN THE ARMY.

ORDNANCE DEPARTMENT.

Lieut. Col. Charles B. Wheeler, Ordnance Department, to be colonel from November 3, 1914, vice Col. John T. Thompson, retired from active service November 2, 1914.

Maj. Kenneth Morton, Ordnance Department, to be lieutenant colonel from November 3, 1914, vice Lieut. Col. Charles B. Wheeler, promoted.

CHAPLAIN.

Chaplain Francis B. Doherty, Third Cavalry, to be chaplain, with the rank of major, from November 6, 1914, vice Chaplain Ivory H. B. Headley, Coast Artillery Corps, who died October 29, 1914.

CAVALRY ARM.

Maj. Willard A. Holbrook, Cavalry, unassigned, to be lieutenant colonel from November 26, 1914, vice Lieut. Col. James A. Cole, Fourteenth Cavalry, retired from active service November 25, 1914.

Capt. William J. Glasgow, Cavalry (detailed in the Quartermaster Corps), to be major from November 26, 1914, vice Maj. Willard A. Holbrook, unassigned, promoted.

FIELD ARTILLERY ARM.

Maj. George Le R. Irwin, Fourth Field Artillery, to be lieutenant colonel from November 18, 1914, vice Lieut. Col. T. Bentley Mott, Second Field Artillery, retired from active service November 17, 1914.

Capt. Richard H. McMaster, Fifth Field Artillery, to be major from November 18, 1914, vice Maj. George Le R. Irwin, Fourth Field Artillery, promoted.

First Lieut. Pelham D. Glassford, First Field Artillery, to be captain from November 18, 1914, vice Capt. Richard H. McMaster, Fifth Field Artillery, promoted.

Second Lieut. Herbert Hayden, Fourth Field Artillery, to be first lieutenant from November 18, 1914, vice First Lieut. Pelham D. Glassford, First Field Artillery, promoted.

COAST ARTILLERY CORPS.

Lieut. Col. George F. Landers, Coast Artillery Corps, to be colonel from November 2, 1914, vice Col. Harry L. Hawthorne, retired from active service November 1, 1914.

Maj. Daniel W. Ketcham, Coast Artillery Corps, to be lieutenant colonel from November 2, 1914, vice Lieut. Col. George F. Landers, promoted.

Capt. Alfred S. Morgan, Coast Artillery Corps, to be major from November 2, 1914, vice Maj. Daniel W. Ketcham, promoted.

First Lieut. William T. Carpenter, Coast Artillery Corps, to be captain from November 2, 1914, vice Capt. Frederick L. Buck, detailed in the Quartermaster Corps.

First Lieut. Frank H. Phipps, jr., Coast Artillery Corps, to be captain from November 24, 1914, vice Capt. Lucian B. Moody, detailed in the Ordnance Department.

First Lieut. Thomas Duncan, Coast Artillery Corps, to be captain from December 1, 1914, vice Capt. Samuel C. Cardwell, who died November 30, 1914.

Second Lieut. Francis H. Miles, jr., Coast Artillery Corps (detailed as first lieutenant in the Ordnance Department), to be first lieutenant from November 2, 1914, vice First Lieut. William T. Carpenter, promoted.

Second Lieut. Harry T. Pillans, Coast Artillery Corps (detailed as first lieutenant in the Ordnance Department), to be first lieutenant from November 2, 1914, vice First Lieut. Francis H. Miles, jr., whose detail in the Ordnance Department is continued.

Second Lieut. Reginald B. Cocroft, Coast Artillery Corps, to be first lieutenant from November 2, 1914, vice First Lieut. Harry T. Pillans, whose detail in the Ordnance Department is continued.

Second Lieut. Kenneth B. Harmon, Coast Artillery Corps (detailed as first lieutenant in the Ordnance Department), to be first lieutenant from November 24, 1914, vice First Lieut. Frank H. Phipps, jr., promoted.

Second Lieut. Elmore B. Gray, Coast Artillery Corps, to be first lieutenant from November 24, 1914, vice First Lieut. Kenneth B. Harmon, whose detail in the Ordnance Department is continued.

Second Lieut. Herbert O'Leary, Coast Artillery Corps, to be first lieutenant from December 1, 1914, vice First Lieut. Thomas Duncan, promoted.

INFANTRY ARM.

Lieut. Col. Robert L. Hirst, Infantry, unassigned, to be colonel from November 20, 1914, vice Col. Henry A. Greene, unassigned, appointed brigadier general.

Maj. James H. Frier, Eighth Infantry, to be lieutenant colonel from November 21, 1914, vice Lieut. Col. Benjamin A. Poore, unassigned, detached from his proper command.

Capt. Marcus B. Stokes, Tenth Infantry, to be major from November 11, 1914, vice Maj. John R. M. Taylor, unassigned, retired from active service November 10, 1914.

Capt. John H. Parker, Eighth Infantry, to be major from November 21, 1914, vice Maj. James H. Frier, Eighth Infantry, promoted.

First Lieut. Clyde B. Crusan, Twenty-fifth Infantry, to be captain from September 15, 1914, vice Capt. Peter W. Davison, Thirteenth Infantry, promoted.

First Lieut. Sherman A. White, Twelfth Infantry, to be captain from September 18, 1914, vice Capt. Edwin J. Nowlen, Twenty-eighth Infantry, retired from active service September 17, 1914.

First Lieut. William H. Clendenin, Seventeenth Infantry, to be captain from September 22, 1914, vice Capt. Rhee Jackson, Ninth Infantry, who died September 21, 1914.

First Lieut. John M. Craig, Infantry, unassigned, to be captain from September 27, 1914, vice Capt. Benjamin H. Watkins, Second Infantry, who died September 26, 1914.

First Lieut. John R. Kelly, Twenty-sixth Infantry, to be captain from November 11, 1914, vice Capt. Marcus B. Stokes, Tenth Infantry, promoted.

First Lieut. William G. Ball, Second Infantry, to be captain from November 21, 1914, vice Capt. John H. Parker, Eighth Infantry, promoted.

Second Lieut. Frederick A. Barker, Second Infantry, to be first lieutenant from September 15, 1914, vice First Lieut. Clyde B. Crusan, Twenty-fifth Infantry, promoted.

Second Lieut. Agard H. Bailey, Infantry, unassigned, to be first lieutenant from September 17, 1914, vice First Lieut. William Lay Patterson, Seventh Infantry, detailed in the aviation section of the Signal Corps.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Naval Constructor David W. Taylor to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear admiral, for a term of four years from the 13th day of December, 1914.

Lieut. (Junior Grade) Horace T. Dyer to be a lieutenant in the Navy from the 1st day of July, 1914.

Midshipman John M. Creighton to be an ensign in the Navy from the 6th day of June, 1914.

Surg. Adrain R. Alfred to be a medical inspector in the Navy from the 20th day of November, 1913.

Commander Charles F. Hughes to be a captain in the Navy from the 10th of July, 1914.

Lieut. Commander Walter S. Turpin to be a commander in the Navy from the 20th day of December, 1913.

Lieut. Commander Thomas T. Craven to be a commander in the Navy from the 1st day of July, 1914.

Lieut. Henry G. S. Wallace to be a lieutenant commander in the Navy from the 1st day of July, 1914.

Lieut. James O. Richardson to be a lieutenant commander in the Navy from the 1st day of July, 1914.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1914:

Charles G. Davy,
Russell S. Crenshaw,
Bryson Bruce,
William P. Williamson, and
Randall Jacobs.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1914:

Freeland A. Daubin,
Claude S. Gillette,
William C. Faus,
Oscar C. Greene, and
Arthur Barney.

The following-named midshipman to be an ensign in the Navy from the 6th day of June, 1914:

Haiden T. Dickinson.

The following-named warrant officers of the Navy to be ensigns in the Navy from the 30th day of July, 1914:

Machinist Harry J. Reuse,
Machinist Walter D. Snyder,
Boatswain John D. Pennington, and
Machinist Thomas L. Shannon.

Thomas R. Healy, a citizen of Massachusetts, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 12th day of November, 1914.

The following-named enlisted men of the Navy to be assistant paymasters in the Navy from the 13th day of November, 1914:

James P. Jackson,
Ralph W. Swearingen,
Fred C. Craig,
Russell L. Kittelle, and
Frederick C. Beck.

Second Lieut. Ralph E. Davis to be a first lieutenant in the Marine Corps from the 15th day of June, 1914.

Second Lieut. Harry W. Weitzel to be a first lieutenant in the Marine Corps from the 12th day of July, 1914.

Chaplain Sydney K. Evans, with rank of lieutenant (junior grade), to be a chaplain in the Navy, with rank of lieutenant, from the 29th day of November, 1914.

Lieut. Commander Henry V. Butler to be a commander in the Navy from the 1st day of July, 1914.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1914:

Rufus F. Zogbaum, jr., and
Harry A. Baldrige.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1914:

Vaughn V. Woodward and
Richard S. Edwards.

Ensign Mark L. Hersey, jr., to be a lieutenant (junior grade) in the Navy from the 5th day of June, 1914.

The following-named machinists to be chief machinists in the Navy from the 17th day of June, 1914:

Charles Dunne,
George J. Lovett,
Horace E. Burks,
Walter Collins, and
Frederick W. Teepe.

Lieut. Col. Theodore P. Kane to be a colonel in the Marine Corps from the 10th day of November, 1914.

Thomas F. Dubigg, a citizen of Iowa, to be an assistant surgeon in the Medical Reserve Corps of the Navy from the 24th day of November, 1914.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 9, 1914.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we pray for a profounder faith, a greater religious awakening in the hearts of men, that the moral fiber of our being may be increased and enable us to withstand the temptations which surround us and avoid the blighting effects of sin; that we may go forward to the higher civilization, which in our better moments we all long for; that the kingdom of heaven, which millions pray for, may indeed come and unite the world in the bonds of brotherhood; that the clash of arms, the roar of battle, the deadly conflict of hate and revenge may pass forever into the calm of peace and purity on earth as it is in heaven. For Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

CALENDAR WEDNESDAY—CODIFICATION OF PRINTING LAWS.

The SPEAKER. This is Calendar Wednesday, and the unfinished business is the bill H. R. 15902, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union, and the gentleman from North Carolina [Mr. PAGE] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15902, with Mr. PAGE of North Carolina in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 15902) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications.

The CHAIRMAN. The Clerk will report the pending amendment.

The Clerk read as follows:

On page 108, in line 2, strike out the word "five" and insert the word "twenty."

Mr. MANN. Mr. Chairman, this is the paragraph of the printing bill providing for the publication of Consular and Trade Reports of the Department of Commerce. The law now provides, I believe, for the publication of not to exceed 5,000 copies for free distribution. I have offered an amendment to make this 20,000 copies. There has been a very large development on the part of the Department of Commerce in our foreign relations in an effort to obtain foreign trade. Their efforts are published largely in the Daily Consular and Trade Reports. I think we ought to have a sufficient number of copies of the reports to furnish information to the people of this country who may wish to engage in foreign trade. They go to great expense in gathering the information. It is desirable to make it known to the people who may engage in foreign trade. I think we might well afford, at not great expense, to increase the number of copies which may be furnished free to the people of this country.

Mr. MURDOCK. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. MURDOCK. Will the gentleman explain to me how this present quota is distributed? I recollect receiving a few myself and sending them out when I received them.

Mr. MANN. They are distributed directly from the Department of Commerce, Bureau of Trade Relations, to certain people who are entitled to them, and this bill provides for a restriction of the persons to whom they may be sent. They now sell a certain number, as they are authorized to do, but people do not subscribe to them very much. In former days, a number of years ago, these consular reports were sent out very often upon the request of Members of Congress. Constituents desiring to engage in foreign trade would request the Member

of Congress, who would transmit the request to the department, and they were sent out, but that scheme no longer prevails.

Mr. MURDOCK. When did that cease? I know it did cease.

Mr. MANN. I think it ceased when they commenced the daily form instead of the monthly form, but I am not sure about that.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. STAFFORD. I understand the existing practice has no means by which an outside party can purchase these copies as provided in this bill.

Mr. MANN. I do not know; I was under the impression they could.

Mr. STAFFORD. I have been informed through replies of the department that there had been no means of purchasing them.

Mr. BARNHART. I oppose the amendment offered by the gentleman from Illinois for the reason that the commercial bodies of the United States have already passed favorably on this proposition. The Department of Commerce is now distributing these reports very largely on a sale basis, and it was done for the purpose that the 20,000 that were being furnished were not nearly sufficient to fill the requirements that came to Members of the House from different parts of the country. These trade reports drifted into the hands of all sorts of document collectors. The Department of Commerce realized this. And now to call your attention to the fact that the gentleman from Illinois is hardly representing the opinion of his own constituents, I want to refer to the report of the Chamber of Commerce of the United States under Referendum No. 5, published November 8, 1913. I read from it this statement:

In order to promote efficient and adequate distribution of publications, the Daily Consular and Trade Reports should be sent free of charge only to public officials, libraries, and commercial organizations, and to all other applicants they should be sold practically at cost. Other reports should be sent free only to public officials and commercial organizations, and sold practically at cost to other applicants.

Furthermore, on this proposition I will say that the gentleman from Illinois has 23 commercial organizations in his city, and on this vote the American Association of Refrigeration voted 3 for the abolishment of the free distribution of these documents. The Association of Commerce voted 10; the Board of Trade, 9; the Bureau of Barley and Malt Statistics, 1; Central Supply Association, 1; Garment Manufacturers' Association, 1; Illinois Commercial Federation, 1; Illinois Manufacturers' Association, 6; Industrial Club, 1; International Association of Manufacturers Photo-Engravers, 1; Millinery Jobbers' Association, 1; National Association of Box Manufacturers, 1; National Association of Retail Druggists, 10; National Association of Tanners, 1; National Confectioners' Association of the United States, 3; National Implement and Vehicle Association, 2; National Shoe Wholesalers' Association of the United States, 1; National Slack Coöperation Manufacturers' Association, 1; National Veneer and Panel Manufacturers' Association, 1; Tight Barrel Stave Manufacturers' Association, 1; United Typothetae of America, 9; Western Cigar Box Manufacturers' Association, 1.

Every single one of these associations voted in favor of the proposition contained in this bill. They did it in their national meeting. The total vote in this National Chamber of Commerce was 624 yeas in favor of the provisions of the bill as against 3 nays.

Mr. TOWNER. Will the gentleman yield?

Mr. BARNHART. Not just now, but a little later.

Several Members of the House living in industrial centers asked me if it were possible to secure more of these free consular trade reports, and when I informed them that it was up to the Department of Commerce they said they hoped it would be placed on a commercial basis, on a sales basis, for the reason that they could not possibly get enough to supply the demand; that when they sent a report to one man some other man—a curious individual, possibly—would want to have one, and they could not supply him, and therefore it caused trouble; that when they got their quota exhausted there was still a demand for more. And along came these commercial organizations agreeing with the bill and agreeing with the opinion of the Department of Commerce that public officials and secretaries of these organizations should be furnished with a copy, but, further than that, any firm sufficiently interested in promoting their trade should gladly pay the cost of this publication; and that is all the committee is asking in this bill. I trust, gentlemen, for the sake of convenience, for the sake of economy, and for the sake of relieving many Members from embarrassment by reason of the fact that they can not get enough of these to supply the demand, that 5,000 be supplied to the public officials of the country, to regularly recognized commercial organizations, and to

the libraries, and that those who want additional copies can get them at cost.

Mr. TOWNER. Mr. Chairman—

The CHAIRMAN. Debate on this amendment is exhausted.

Mr. TOWNER. I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. TOWNER. I presume that all the Members of Congress receive, as I do, these consular reports from day to day. I presume many of the Members of Congress do as I do—send them out to persons to whom they think they will be interesting, from time to time. And I call the chairman's attention to this matter: At the close of the year I sent to the department asking them to give me a file for the year for the purposes of binding and preservation, and they informed me that they were unable to do so inasmuch as they had not a supply. Does not the chairman of the committee think that the Members of Congress, at least, ought to have a file in order that the copies for the year may be bound and preserved?

Mr. BARNHART. That is exactly what you would get under the provisions of this bill.

Mr. TOWNER. I do not so understand it.

Mr. BARNHART. Yes; it allots 5,000, and if the gentleman from Iowa would make his application to the Department of Commerce he would receive a copy, inasmuch as he is a public official.

Mr. TOWNER. Yes; but we now receive a copy from day to day.

Mr. BARNHART. Yes; but if the gentleman does not keep it, he can not now have a complete file at the end of the year. We receive copies of many other publications, but if they are not retained by us and the supply is exhausted we can not have them bound. Under this provision they now all go to the Department of Commerce, and you get your copy through the courtesy of the Department of Commerce, and others go out according to the recommendation of the various bodies that I have quoted.

Mr. TOWNER. Does not the gentleman know it would be absolutely impossible for a Member of Congress to retain a file of these reports which are issued from day to day? Some of the copies would be lost and it would be impossible to obtain any other copies, according to the gentleman's statement.

Mr. BARNHART. I have not any doubt the gentleman could have them retained.

Mr. TOWNER. Ought we not to have an opportunity to have a file that we could obtain at the close of the year?

Mr. BARNHART. If the gentleman would make the application, they would be retained for him.

Mr. TOWNER. I have told the gentleman that I have made the application and the department has said they could not supply the demand.

Mr. BARNHART. Yes; but he makes the application when the supply is exhausted instead of making it at the beginning of the year. So far as I am concerned I have had very little use for the publication. I have had, as I remember, only three requests for it, and yet I represent one of the greatest manufacturing districts in the United States.

Mr. TOWNER. The point with me is this, and it seems to me other Members will be interested as I am: We send out these daily reports from time to time as we can. It is impossible to preserve them until the end of the year or to the end of the part of the year that constitutes a volume of the publication. But at the end of the year we do want the volume, because we want to preserve it. It is a valuable thing, and we want to have it in our libraries. But under the present arrangement and under the law, as I understand it will be, if we adopt this measure, we shall be unable to obtain a copy for our own use. It seems to me that is entirely unreasonable.

Mr. BARNHART. The gentleman is mistaken about that.

Mr. TOWNER. I think not. If we are entitled to only one copy and it is sent to us from day to day, how can we obtain any others?

Mr. BARNHART. Will the gentleman yield to me?

Mr. TOWNER. Certainly.

Mr. BARNHART. The provision is that it shall be sent to such officials as ask for it. Such is clearly set forth in the bill. So far as I am concerned I do not know that I shall ask for it. I would perhaps for the sake of having it bound and put into my library so long as I am in Congress, but perhaps not otherwise.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. MANN. Mr. Chairman, the law now provides for the issuance of 20,000 copies of these daily reports or bulletins for free distribution. We appropriated an additional amount of

money in the last Congress to increase the work for the commercial attaché service, which is the same thing so far as this work is concerned. The department has recently organized to obtain this information, and yet you propose to close it off. Two dollars and a half a year is the price of these daily consular reports when purchased. Well, you can purchase a daily newspaper that contains ten times as much space for a dollar and a half. People will not buy these reports until they learn about them. Sending one to a commercial organization does no practical good. The members of the organization do not go to the headquarters to read these consular reports. The way to get the trade is to bring close home to the people the opportunities which we have discovered in foreign lands. The only way to do that is to keep hammering it into them. Then they will go after the trade. We ought not to decrease the number from 20,000 copies to 5,000 copies. We ought rather to increase the number now being issued. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. MANN. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Illinois demands a division.

The committee divided; and there were—ayes 53, yeas 46.

Mr. BARNHART. Mr. Chairman, I demand tellers.

The CHAIRMAN. The gentleman from Indiana demands tellers.

Tellers were ordered, and the Chairman appointed Mr. BARNHART and Mr. MANN to act as tellers.

The committee again divided; and the tellers reported yeas 63, yeas 68.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 73. PAR. 3. To enable the Director of the Census to compile and publish the Official Register of the United States, the Secretary of the Senate, the Clerk of the House of Representatives, and the head of each executive and judicial department, independent office, and establishment of the Government, in connection with which salaries are paid from the Treasury of the United States, shall, as of the 1st day of July, 1915, and biennially thereafter, supply to the Director of the Census the data required to be published under the provisions of this section, upon forms approved and furnished by him, in due time to permit the publication of the Official Register as herein provided; and no extra compensation shall be allowed to any officer, clerk, or employee of the Bureau of the Census for compiling the Official Register.

Mr. BARNHART. Mr. Chairman, I offer two committee amendments to make the section more complete.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Indiana.

The Clerk read as follows:

Amend, page 110, line 23, after the word "Representatives" insert the words "the executive office and judicial."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read the next committee amendment.

The Clerk read as follows:

Amend, page 110, line 23, after the word "executive" strike out the words "and judicial."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 73. PAR. 4. Of the Official Register there shall be printed and bound a sufficient number of copies for the following distribution to be made by the superintendent of documents: To the President of the United States, 4 copies; 1 copy of which shall be for the library of the Executive Office; to the Vice President, each Senator, Representative, Delegate, and Resident Commissioner, 2 copies, to be delivered to the document room of the Senate and the House of Representatives, respectively; to the Secretary and the Sergeant at Arms of the Senate and the Clerk and the Sergeant at Arms of the House of Representatives, 1 copy each; to the library of the Senate and the House of Representatives, not to exceed 15 copies each; to the Department of State, not to exceed 100 copies; to the Treasury Department, not to exceed 150 copies; to the War Department, not to exceed 50 copies; to the Navy Department, not to exceed 20 copies; to the Department of Justice, not to exceed 30 copies; to the Department of the Interior, not to exceed 200 copies; to the Post Office Department, not to exceed 100 copies; to the Department of Agriculture, not to exceed 25 copies; to the Department of Commerce, not to exceed 150 copies; to the Department of Labor, not to exceed 25 copies; to the Smithsonian Institution, 4 copies; to the Government Printing Office, 4 copies; to the Interstate Commerce Commission, 2 copies; to the Civil Service Commission, not to exceed 20 copies; to the Commissioners of the District of Columbia, 1 copy each; to the Public Library of the District of Columbia, 2 copies; to the Pan American Union, 2 copies.

Mr. JOHNSON of Washington. Mr. Chairman, I would like to ask the chairman of the Committee on Printing if copies of this Official Register are now sent to the libraries that are official depositories of public documents?

Mr. BARNHART. Yes; they are.

Mr. JOHNSON of Washington. I would like to ask if this section proposes a limited edition of about 2,000 copies of a very elaborate compilation? Are the State libraries to have none?

Mr. BARNHART. Why, Mr. Chairman, the gentleman is mistaken about the State libraries having none. The State libraries are supplied through the general distribution which is provided for in a previous section of the bill. They are all provided for, and some States have more than one library.

Mr. JOHNSON of Washington. Yes; certainly. I wanted information.

Mr. BARNHART. In fact, every depository library is taken care of in the bill.

Mr. JOHNSON of Washington. So that this paragraph does not limit the number of copies to the number stated here?

Mr. BARNHART. No; that applies to the general features of the bill.

Mr. FINLEY. Mr. Chairman, will the gentleman yield?

Mr. BARNHART. Certainly.

Mr. FINLEY. The Library of Congress is provided with more, is it not?

Mr. BARNHART. Oh, yes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 75. No report, document, or publication of any kind distributed by or from an executive department or independent office of the Government shall contain any notice that the same is sent with "the compliments" of an officer of the Government or with any special notice that it is so sent, except that a request for an acknowledgment of its receipt may be made.

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend, page 112, in line 25, after the word "department," by striking out the word "or" and insert in lieu thereof a comma.

The amendment was agreed to.

The Clerk read as follows:

On page 113, line 1, after the word "office," insert a comma and the words "or establishment."

The amendment was agreed to.

The Clerk read as follows:

SEC. 77. PAR. 1. No printing or binding shall be done unless authorized by law and necessary to the public business, and each requisition for printing or binding shall cite the specific authority of law for its execution: *Provided*, That no publication not having to do with its ordinary business transactions shall be printed on the requisition or order of any executive department, independent office, or establishment of the Government unless the same shall have been expressly authorized by Congress.

Mr. BARNHART. Mr. Chairman, I offer the following amendments.

The Clerk read as follows:

Page 113, line 17, after the word "with," strike out the word "its" and insert the word "the."

The amendment was agreed to.

The Clerk read as follows:

On page 113, line 18, after the word "transactions," insert "of his branch of the Government service."

Mr. MANN. That does not make very good grammar. It would read, "that no publication not having to do with its ordinary business transactions of his branch of the Government service shall be printed on the requisition," and so forth.

Mr. BARNHART. The relative pronoun there is certainly misused.

Mr. MANN. The word "his" should be "its" if you follow the rest of the language.

Mr. BARNHART. Mr. Chairman, the amendment would read as follows: "That no publication not having to do with its ordinary business transactions of his branch of the Government service shall be printed on the requisition," and so forth. Now, if we strike out the words "department, independent office, or establishment of the Government," it would read all right.

Mr. MANN. Changing it in that way it would read all right.

Mr. BARNHART. There is another amendment on the desk that does that.

The CHAIRMAN. Does the gentleman from Indiana wish to withdraw his first amendment?

Mr. BARNHART. No; let it stand, and let the Clerk read the other amendment. The two go together.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 113, line 19, strike out the words "executive department, independent office, or establishment" and insert in lieu thereof the word "office."

Mr. MANN. Has the word "its" been changed to "the" in line 17?

Mr. BARNHART. It has.

The CHAIRMAN. The question is on the first amendment offered by the gentleman from Indiana.

The question was considered, and the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment striking out the language in line 19.

The amendment was considered and agreed to.

The Clerk read as follows:

SEC. 77. PAR. 2. Binding for Congress, the Executive Office, the executive and judicial departments, independent offices, and establishments of the Government shall be done in paper, plain sheep, skiver, book cloth, buckram, canvas, or other similar material not more expensive than half turkey morocco, the material and style of binding, except as otherwise provided, to be determined by the Public Printer, having proper regard to economy and the purposes for which the work is intended: *Provided*, That the messages and papers of the President of the United States, manuscripts and portfolios of the State Department, and valuable or rare books and manuscripts for the Library of Congress, may be bound in full morocco when the necessity therefor is certified to the Public Printer by the Secretary to the President, the Secretary of State, or the Librarian of Congress, respectively, but no such binding shall be done for the Library of Congress without the approval of the Joint Committee on Printing: *Provided further*, That record and account books may be bound in material best adapted to their preservation.

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 113, line 23, after the word "office," insert the words "the judiciary."

The amendment was agreed to.

The Clerk read as follows:

Page 113, line 23, after the word "executive," strike out the words "and judicial."

The amendment was agreed to.

The Clerk read as follows:

Page 114, line 1, after the word "half," strike out the word "turkey."

The amendment was agreed to.

The Clerk read as follows:

SEC. 77. PAR. 3. Each committee or commission of Congress shall be entitled to the binding, for official committee use, of not to exceed 50 copies in all of any Government publication or any manuscript germane to the work of such committee or commission, in material no more expensive than buckram, except as otherwise provided by law: *Provided*, That one copy of any publication for the official use of any committee or commission may be bound in material no more expensive than half turkey morocco, and an account of all binding for committees shall be kept by the printing clerk of each House, respectively: *Provided further*, That the Public Printer shall have plainly marked on the cover of every document, report, paper, manuscript, or publication the name of the committee or commission for which such binding is done.

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 114, line 24, after the word "half," strike out the word "turkey."

Mr. MANN. Does not the gentleman think that is a violation of the President's neutrality order? Now that Turkey has joined in the European conflict, the first thing we do is to strike a blow at Turkey. [Laughter.]

Mr. BARNHART. It might be viewed from a good many angles. There are other considerations in regard to Turkey, and the committee has duly considered them.

The amendment was considered and agreed to.

The Clerk read as follows:

SEC. 77. PAR. 4. The Vice President, each Senator, Representative, Delegate, and Resident Commissioner, the Secretary of the Senate, and the Clerk of the House shall be entitled to the binding, in material no more expensive than half turkey morocco, of but one copy of any Government publication to which he may be entitled, an account of which shall be kept by the printing clerk of each House, respectively; but the Public Printer shall not honor any requisition for such binding which does not specify by name the person or committee for whom the same is ordered, and the provisions of this paragraph shall apply to each of the persons named herein until the convening of the next session of Congress following the expiration of his term of office: *Provided*, That the Public Printer is hereby authorized to bind at the Government Printing Office any books, maps, charts, or other Government publications upon application of the Vice President, any Senator, Representative, Delegate, or Resident Commissioner upon payment of the actual cost of such binding.

Mr. BARNHART. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 115, line 10, after the word "half," strike out the word "turkey."

The amendment was agreed to.

The Clerk read as follows:

Amend, on page 115, line 23, by striking out the word "payment" and inserting in lieu thereof the word "prepayment."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 78. On and after July 1, 1915, all printing, binding, and blank-book work for Congress, the Executive Office, the judiciary, and every executive department, independent office, and establishment of the Government shall be done at the Government Printing Office, except such work as shall be urgent and necessary to have done elsewhere than in the District of Columbia for the exclusive use of any field service outside of said District, such work as can be done at the several Indian schools for the Office of Indian Affairs, or such work as is otherwise provided for by this act; and no part of any appropriation out of the Treasury of the United States shall be used in payment for printing, binding, and blank-book work done elsewhere than at the Government Printing Office, except as herein provided, unless the act making the appropriation shall specifically so authorize: *Provided*, That a copy of every bill for such work done by private contractors shall be promptly furnished the Public Printer by the officer who audits the account: *Provided further*, That no paper or material shall be used at the Government Printing Office in any printing or binding operation unless such paper or material is furnished by the Public Printer as provided for in this act: *Provided further*, That the Smithsonian Institution and the Pan American Union are authorized to have executed at the Government Printing Office any printing and binding required for their purpose, notwithstanding that payment therefor is to be made from funds other than those appropriated by the Government of the United States: *Provided further*, That the provisions of this act shall not apply to printing, binding, and blank-book work for the government of the Territories and insular possessions of the United States and the Panama Canal unless such work is done at the Government Printing Office in Washington, D. C.

Mr. BARNHART. Mr. Chairman, I offer the following amendments, which I send to the desk and ask to have read.

The Clerk read as follows:

On page 117, after the word "act," in line 6, insert:

Provided, further, That the Public Printer shall execute such printing and binding and blank-book work as shall be ordered by any establishment or officer of the Government authorized to procure the same upon payment of the cost thereof, and all moneys received from such sources shall be deposited or transferred to the Treasury of the United States to the credit of the appropriation for printing and binding for the year in which such work is done, and all sums so received and a description of the work done thereunder shall be set forth in the annual report of the Public Printer.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 117, amend, after the word "Columbia," in line 17, by inserting the words "or to such engraving, printing, and binding as is authorized by law to be done at the Bureau of Engraving and Printing."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 79. PAR. 2. No report, bulletin, or document shall be printed in excess of 2,500 copies of each in any one fiscal year for any executive department, independent office, or establishment of the Government, unless otherwise authorized by law, except that of the annual report of the head of an executive department, independent office, or establishment of the Government, without appendices, there shall be printed in any one fiscal year not to exceed 5,000 pamphlet copies for his distribution, and not to exceed 100 and 500 copies, respectively, for the use of the Senate and House document rooms, to be supplied them in pamphlet form as soon as published: *Provided*, That the Secretary of War may authorize the printing of such number of copies of the military publications of the War Department as may be necessary for the instruction of the Army and of the National Guard of the various States: *Provided further*, That the Secretary of Commerce may authorize the printing of such number of copies of the special publications of the Bureau of Corporations and the Bureau of Lighthouses and of census bulletins and reports authorized by law as he may deem for the best interest of the Government: *Provided further*, That the Civil Service Commission may print not to exceed 20,000 copies of its annual report: *Provided further*, That the Interstate Commerce Commission may print such number of its annual report and other publications incident to interstate commerce for distribution by said commission as it may deem expedient: *Provided further*, That publications printed for distribution by any executive department, independent office, or establishment of the Government shall not be bound in material more expensive than buckram: *Provided further*, That nothing in this paragraph shall be construed to prevent the head of any executive department, independent office, or establishment of the Government from printing such number of copies of laws, rules, regulations, instructions, opinions, decisions, and official notices as may be necessary to the proper administration thereof.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 119, line 7, after the word "than," strike out the word "buckram" and insert the word "cloth."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MANN. Mr. Chairman, is not that making a reduction in binding so as to practically make a lot of these bound documents valueless?

Mr. BARNHART. It is the present law. They are bound in cloth instead of buckram, which is a higher priced material than cloth.

Mr. MANN. I supposed a good many of them were now bound in buckram.

Mr. BARNHART. Probably some of these are, but the department heads have said that cloth would be entirely satisfactory, and it would effect quite a saving.

Mr. MANN. Personally, I think a cloth-bound volume of a Government publication is just wasting that much binding. It is no better than a paper binding and of no value if you keep it very long.

Mr. BARNHART. If they are bound now in buckram, they are bound in direct violation of existing law. Cloth is satisfactory to the heads of the departments.

Mr. MANN. A cloth-bound Government publication is no better than a paper-bound Government publication.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 81. PAR. 1. A division of publications shall be established in each executive department, independent office, and establishment of the Government, and under the immediate control of the head thereof: *Provided*, That there shall also be a division of publications in the Weather Bureau: *Provided further*, That nothing in this section shall be held to apply to the printing and distribution of orders, circulars, changes in regulations and manuals, bulletins, and blank forms for the Army, the Navy, or the Marine Corps, or of pamphlets pertaining to ordnance and ordnance material of the Army.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 120, line 25, and page 121, line 1, after the word "department," strike out "independent office and" and insert the words "and in each independent."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 81. PAR. 2. The distribution of publications and all printing and binding for each executive department, independent office, or establishment of the Government and the Weather Bureau shall be done under the supervision of its respective division of publications. It shall be the duty of the chief of such division to require that manuscripts to be printed are properly prepared, edited, and indexed, and that all unnecessary or unauthorized matter and illustrations are excluded therefrom, to transmit to and receive from the Public Printer all matter for printing and binding, to prepare all requisitions upon the Public Printer for such work and keep an account of the estimates and charges therefor, together with the condition of all funds available and used for printing and binding, to distribute all blank books and forms and all publications for official use the distribution of which is not otherwise provided for by this act, and to prevent unnecessary duplication in the public printing and binding and the distribution of Government publications and to call such duplication on the part of other branches of the Government to the attention of his superior officer, who shall endeavor to secure a discontinuance of the same or make a report thereon to the Joint Committee on Printing. The chief of each division of publications shall make a detailed report of its work for each fiscal year to the head of his respective department, independent office, or establishment of the Government, who shall transmit the same annually to Congress. Said report shall also contain a detailed statement of the number of copies of each publication received and distributed for the preceding five years, and the number on hand. The chief of each division of publications shall also perform such other duties as may be required of him by the head of his respective department, independent office, or establishment of the Government.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, page 121, line 11, after the word "department," by striking out "independent office, or" and inserting "and each independent."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 122, lines 9 and 10, after the word "department," strike out the comma and the words "independent office."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 122, lines 16 and 17, after the word "department," strike out the comma and the words "independent office."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 82. When any executive department, independent office, or establishment of the Government shall require printing or binding to be done,

requisition shall be made on the Public Printer by the head of such department, independent office, or establishment of the Government, who may request the Public Printer to furnish an estimate of its cost by the principal items, and upon the completion of said work the Public Printer shall place the cost thereof, to be ascertained as provided in this act, to the debit of the appropriation or allotment of appropriation to which it pertains: *Provided*, That no printing or binding shall be charged to any appropriation or allotment of appropriation other than that for the fiscal year in which the work is done: *Provided further*, That for the purpose of furnishing estimates and computing and charging the products of the Government Printing Office, the Public Printer shall prescribe a uniform schedule of charges annually to be effective when approved by the Joint Committee on Printing, which schedule shall be based on all expenditures from all appropriations made under the public printing and binding, except appropriations for salaries, stores, and general expenses in and for the office of the superintendent of documents, so that the total charges for work executed shall not be less than the total amount actually expended from all of said appropriations: *Provided further*, That the Public Printer shall furnish the head of every executive department, independent office, and establishment of the Government, and the printing clerks of the Senate and the House, respectively, with a copy of each schedule of charges as soon as the same may become effective.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 122, line 24, after the word "and," strike out the words "upon the completion of said work."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 123, line 11, after the word "appropriations," strike out the words "made under" and insert the word "for."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 123, line 12, after the word "binding," strike out the word "except" and insert "including salaries of office force and payments for holidays and leaves of absence for the Government Printing Office, and excepting."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Page 123, line 16, after the word "appropriations," strike out the remainder of the section and insert the words "in any fiscal year."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Sec. 84. Heads of the executive departments, independent offices, and establishments of the Government and the superintendent of documents are authorized to exchange their publications for such other Government publications as may be required by them when the same can be done to the advantage of the public service: *Provided*, That no executive department, independent office, or establishment of the Government shall transmit any publications to any other executive department, independent office, or establishment of the Government except upon request of the latter, or in accordance with sections 62 and 65 of this act.

Mr. BARNHART. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 124, line 17, after the word "with," strike out the words "sections 62 and 65 of."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Sec. 85. The Postmaster General shall contract, for a period not exceeding four years, for envelopes, stamped or otherwise, designed for sale to the public, or for use by any executive department, independent office, or establishment of the Government, and may contract for them to be plain or with printed matter as may be prescribed by the officer making the requisition therefor, but no envelopes shall be sold by the Government containing any lithographing or engraving, except the stamp, or any printing or advertisement, except a printed request to return the letter to the writer: *Provided*, That the Public Printer shall contract for all envelopes required for the public printing at the Government Printing Office as provided for in section 5 of this act, said envelopes to correspond in quality to the standards of paper as fixed upon by the Joint Committee on Printing; and this provision shall become effective on the 1st day of July, 1915, until which time the departments, offices, and establishments of the Government may continue to furnish envelopes to the Public Printer as heretofore.

Mr. MOON. Mr. Chairman, I make the point of order against the section.

The CHAIRMAN. The gentleman from Tennessee makes the point of order against the section. The Chair will hear the gentleman.

Mr. MOON. Mr. Chairman, this is a bill that purports to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications. Section 85, I think, is not germane to the subject, because it provides that—

The Postmaster General shall contract for a period not exceeding four years for envelopes, stamped or otherwise, designed for sale to the

public, or for use for any executive department, independent office, or establishment of the Government, and may contract for them to be plain or with printed matter, as may be prescribed by the officer making the requisition therefor.

It is not germane to a bill of this character to attempt to control the administrative conduct of an entire department—the Post Office Department. It is not the province of any printing law to prohibit the Postmaster General from doing that which the law permits him to do now—to contract for any period he sees fit for envelopes, stamped or otherwise, designed for sale to the public—and it occurs to me that an attempt to control by legislation the acts of the Post Office Department in the performance of a duty that is conferred upon that department expressly by law is not germane to the subject of this bill—to amend and revise the printing laws. Secondly, I object to this section because of the absence of jurisdiction of the Committee on Printing to present for the consideration of the House the question involved in section 85. The rule and the law fixes the jurisdiction of the Committee on Printing and how far it may act in the control of Government printing and how far it may not act as a joint committee. The law provides that the Postmaster General shall make the contracts for envelopes, stamped envelopes and otherwise, and it is within the jurisdiction of the Committee on the Post Office and Post Roads to say what contracts shall be made, the extent of the contracts, and whether the envelopes shall be stamped or not stamped, regardless of the question of printing. Therefore I insist that this committee, in reporting this section to the House, have encroached upon the province and jurisdiction of the Committee on the Post Office and Post Roads and that the House can not entertain this section as presented by the Committee on Printing.

Mr. BARNHART. Mr. Chairman, in reply to the argument of the gentleman from Tennessee I desire to say that this bill is to amend, revise, and codify the existing printing laws. The present printing act carries in section 96, under date of January 12, 1895, and under date of June 26, 1906, practically these same provisions. If the Joint Committee on Printing and the Committees on Printing of the two Houses have no jurisdiction over the printing of the Post Office Department, then manifestly they have no jurisdiction over any printing of the Government.

Mr. MOON. Does the gentleman insist that he has the right to say what shall be stamped or not stamped, the number of envelopes that shall be contracted for, stamped and unstamped, and that the Government Printer may do it?

Mr. BARNHART. Anything that has to do with public printing the Committee on Printing insists comes within its jurisdiction. As a matter of fact, under the present arrangement the Postmaster General recognizes the right of the Joint Committee on Printing to specify the kinds of paper that he uses in all the printing of the department except that of envelopes alone. He recognizes the kind of paper which shall be used, and the Public Printer, with approval of the joint committee, furnishes the paper for the printing of the money orders in the Post Office Department. The Postmaster General recognizes the provision, and the attorney for the Post Office Department recognizes it as being authorized by law.

Mr. MOON. That is simply a contract; that is not law authorizing that?

Mr. BARNHART. Well, it is a recognition by the Post Office Department that the Joint Committee on Printing and the Public Printer has to do with the stock which is used by the Postmaster General, all combined under the general head of the duties of the Public Printing Department. Mr. Chairman, if this law is wrong now, if this section is wrong as it is presented, it has been an infringement heretofore upon the rights and privileges of the Postmaster General. If it is wrong now, it is certainly an elimination of all the functions of the Joint Committee on Printing and the Public Printer, because it would take from the Public Printer and the Joint Committee on Printing the right to specify what kind of paper, what kind of printing, and how it shall be done, all of which would be contrary to existing law.

Mr. MANN. Mr. Chairman, the bill now pending before the House is a bill reported from the Committee on Printing without previous reference to the committee. It was not a bill which had been introduced in the House and referred by the House to the committee, but it is a bill which the committee itself has reported to the House. It has that authority to report that bill to the House, and it only had authority to report a bill containing items over which it had jurisdiction, so that if it did not have jurisdiction of this subject matter it is not too late to make the point of order. If the bill had been introduced through the basket and referred to the committee, I assume that probably it would be too late to make the point of order to any

portion of a bill which was referred by the House to a committee and reported back. Now, the rule provides:

All proposed legislation or orders touching printing shall be referred to the Joint Committee on Printing on the part of the House.

Paragraph 14 of Rule XI provides:

That to the Committee on the Post Office and Post Roads shall be referred all matters relating to the post office and post roads, including appropriations for their support.

Now, what is the pending paragraph? A portion of it relates to printing by contract, and probably would be in order on this bill as a matter in reference to printing; but here is a provision in the paragraph, beginning in line 25, page 124:

But no envelopes shall be sold by the Government containing any lithographing or engraving, except the stamp, or any printing or advertisement, except a printed request to return the letter to the writer.

That is not a paragraph relating to printing. It is not legislation upon the subject of printing. It is purely a post-office matter. It is forbidding certain things. It forbids the Government to sell certain envelopes. It is not a matter which would be referred to the Committee on Printing if it were introduced in the House through the basket as a bill. If a bill had been introduced on this subject, it would be sent to the Committee on the Post Office and Post Roads, because that committee would have jurisdiction of that subject, not as a matter relating to printing, because this does not relate to printing, but as a matter relating to the administration of the Post Office Department, to which it does relate, and hence, in my opinion, the Committee on Printing voluntarily reporting a bill to the House containing this item was without jurisdiction to include this paragraph in the bill.

Mr. BARNHART. Mr. Chairman, I would like to ask the gentleman from Illinois a question.

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. MANN. Certainly.

Mr. BARNHART. In the event this section would be stricken out of the bill and the bill should become a law, where would that leave the Government Printing Office in its relation to the Postmaster General?

Mr. MANN. It would leave it where it is now, but I do not know where that is.

Mr. BARNHART. There would be no law at all.

Mr. MOON. Yes; there would be.

Mr. BARNHART. So far as the relation to the Government Printing Office is concerned there would be no law.

Mr. MANN. The Government Printing Office does not print these now, as I understand. I am not sure but that under the other provisions of the bill they could have them printed at the Government Printing Office. I am not speaking of the printing end of it.

Mr. BARNHART. This section is already in the general printing law of the country, and if you eliminate it you remove from the Postmaster General all responsibility to the Government Printing Office and the Joint Committee on Printing. It releases him entirely from responsibility.

Mr. MANN. According to the gentleman's contention, if we keep it out of the bill, we cut out all law on the subject, and the Postmaster General could not legally print any envelopes of this kind.

Mr. BARNHART. Certainly.

Mr. MANN. That might be desirable.

Mr. MOON. Mr. Chairman, I want to say that there would be no trouble about that. The Post Office Department does not have to rely on the law under this printing section which the gentleman has. Under the general law it has full power. It has not been 10 hours since we have passed upon this very question in the committee, so far as the manufacture and sale of stamps is concerned. There is no trouble as to the law, because you do not give this committee jurisdiction. Let us see what attitude the department would be in. I am speaking of the partial merits of the case. Suppose the contention of the gentleman was right, then every form that is used in the Post Office Department, every particle of printing that is done there, would have to fall under the jurisdiction of the Committee on Printing. A large amount of this printing is done elsewhere. This would be the trouble, namely, that the Committee on Printing would assume jurisdiction, control, and dictation in a matter of administration for the Post Office Department, which is a senseless and ridiculous proposition to my mind.

Mr. BARNHART. Will the gentleman yield?

Mr. MOON. Yes.

Mr. BARNHART. The committee is simply trying to get information on this point of order, and I would like to have the attention of the gentleman from Illinois [Mr. MANN] as I read this extract.

Mr. MOON. You wanted to ask me a question.

Mr. BARNHART. I wanted to ask for your opinion as to what would occur by the repeal of the section. This is what is contained in section 96, enacted January 12, 1895:

The Postmaster General shall contract for all envelopes, stamped or otherwise, designed for sale to the public, or for use by his own or other departments, and may contract for them to be plain or with such printed matter as may be prescribed by the department making requisition therefor: *Provided*, That no envelope furnished by the Government shall contain any business address or advertisement.

In the event the point of order is sustained, what becomes of the general printing law?

Mr. MOON. The general law and power of the department remains. You are not going to repeal it if we can keep you from doing it. But for the purpose of determining whether this committee had the power or jurisdiction, or not, that question is utterly immaterial itself. Here is a committee that is clothed with the power to handle these questions, and is handling them from day to day and from term to term, and here is another that assumes jurisdiction over the question, and proposes that the department shall not even buy or advertise for anything that is to be printed in any way without the consent and dictation of that committee. It is going outside of its province and power and authority under the rules and the general law. This is the first opportunity to complain of the assumed jurisdiction on the part of the committee that we have had. General reservations and points of order and exceptions to this bill were made when it was introduced, but a point of order could not be made until now. Now, I think it is very clear that this is a matter that falls strictly within the jurisdiction of the Committee on the Post Office and Post Roads and not of the Committee on Printing. I thought the gentleman from Illinois made a very clear statement in support of the position that we take.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Tennessee [Mr. Moon] makes his point of order as to the germaneness of this particular provision in the bill, and upon that point made by the gentleman the germaneness of a proposition applies only to an amendment, under the practice of the House, that is proposed to a bill. He also bases his point of order on the right of jurisdiction of the Committee on Printing as to this proposition. If this bill had been introduced in the House through the basket in the usual way, and had been referred to the Committee on Printing and no exception had been taken to that, the point of order would come too late, but no opportunity having been given for making a point of order as to the jurisdiction of committees as touching this particular proposition since this bill was reported to the House from the Committee on Printing, the Chair sustains the point of order.

Mr. BARNHART. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARNHART. The committee does not want to object to the ruling already made, but the Chair bases his ruling on the assumption that this bill came from another body. That is erroneous. This bill that is now under consideration was introduced in lieu of one that had been introduced in a regular way in the same session of Congress theretofore, and it contained the identical paragraph on which the Chair made his ruling.

Mr. MOON. And if it had been contained in that bill and another committee had jurisdiction of the subject matter, it would have gone out on a point of order when made.

The CHAIRMAN. So far as that statement of the Chair is concerned, the Chair will state to the gentleman from Indiana that the bill was reported in lieu of another bill that had already been reported from the Committee on Printing; and with that modification the decision of the Chair will stand, and the point of order is sustained on the question of jurisdiction. The Clerk will read.

The Clerk read as follows:

Sec. 86. "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895, and all acts and resolutions, or parts of acts or resolutions, amendatory thereof, or by the said act amended or superseded; and all acts and resolutions, or parts of acts and resolutions, inconsistent with the provisions of this act, are hereby repealed: *Provided*, That this act shall become effective on the 1st day of July, 1915.

Mr. BARNHART. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 125, line 21, after the word "repealed," strike out the remainder of the section and insert a period.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BARNHART. Mr. Chairman, as to section 86, on page 125, I offer an amendment to the effect that that section be numbered "85" instead of "86."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 125, line 14, strike out the figures "86" and insert "85."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BARNHART. Mr. Chairman, I move that the committee do now rise and report the bill and amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. PAGE of North Carolina, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15902) to amend, revise, and codify the laws relating to the public printing and binding and the distribution of Government publications, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. BARNHART. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. BARNHART, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CALL OF COMMITTEES.

The SPEAKER. The Clerk will call the next committee.

The Clerk proceeded with the call of committees.

Mr. MANN (when the Committee on Elections No. 2 was called). Mr. Speaker, I make the point of order that there is no quorum present. The House ought to be informed that the House has finished this printing codification bill, so that the other committees would know.

The SPEAKER. The gentleman from Illinois [Mr. MANN] makes the point of no quorum. Evidently there is not a quorum present.

CALL OF THE HOUSE.

Mr. FITZGERALD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ainey	Ferris	Lazaro	Roberts, Nev.
Ansberry	Francis	L'Engle	Sabath
Austin	Gallagher	Lever	Scully
Baltz	Gardner	Lewis, Md.	Seldomridge
Barchfeld	Garrett, Tenn.	Lieb	Sells
Bartholdt	George	Lindquist	Sherley
Beall, Tex.	Gilmore	Lobeck	Shreve
Bowdle	Gittins	Loft	Slomp
Britten	Goldfogle	Logue	Smith, Md.
Brown, W. Va.	Gorman	McGuire, Okla.	Smith, Minn.
Bruckner	Goulden	Manahan	Smith, Saml. W.
Buchanan, Pa.	Graham, Pa.	Martin	Sparkman
Burgess	Green, Iowa	Metz	Stanley
Calder	Gregg	Miller	Stout
Campbell	Griffin	Moore	Stringer
Cantor	Hamill	Morin	Summers
Caraway	Hamilton, N. Y.	Mott	Taggart
Carr	Hamlin	Mulkey	Taylor, Ala.
Cary	Hart	Murray	Taylor, Ark.
Clancy	Haugen	Neeley, Kans.	Taylor, N. Y.
Clark, Fla.	Hawley	Neely, W. Va.	Ten Eyck
Claypool	Hensley	Nelson	Thompson, Okla.
Cline	Hill	Nolan, J. I.	Thompson, Ill.
Connelly, Kans.	Hinds	Norton	Townsend
Conry	Houston	O'Brien	Underhill
Dale	Jacoway	Oglesby	Underwood
Davenport	Jones	O'Hair	Vare
Davis	Kennedy, Iowa	O'Leary	Vollmer
Doolling	Kent	Patten, N. Y.	Walker
Drukker	Key, Ohio	Patton, Pa.	Watkins
Dunn	Kinkaid, Nebr.	Platt	Wilson, Fla.
Edmonds	Konop	Plumley	Wilson, N. Y.
Elder	Korbly	Post	
Fairchild	Langham	Pou	
Faison	Langley	Price	

The SPEAKER. Two hundred and ninety-one Members have answered to their names. A quorum is present.

Mr. FITZGERALD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER. With the permission of the House, the Chair desires to make a suggestion to those present, and that is that if they do not want an extra session next year they had better remain in their seats. [Laughter and applause.] That is the only way in which we can avoid it. The Clerk will proceed with the call of committees.

EXEMPTION FROM INTERNAL-REVENUE TAX.

Mr. UNDERWOOD (when the Committee on Ways and Means was called). Mr. Speaker, I desire to call up the bill H. R. 12303 on the Union Calendar.

The Clerk read as follows:

A bill (H. R. 12303) to amend section 3246 of the Revised Statutes of the United States.

Mr. UNDERWOOD. Mr. Speaker, this is a small bill about which I do not think there is any contest. It is a unanimous report, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3246 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879 (20 Stats., p. 327), be, and the same is hereby, amended by adding thereto the following:

"Nor shall any special tax be imposed upon manufacturing chemists or flavoring extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation or extraction, if said recovered alcohol or spirituous liquors be again used in the manufacture of flavoring extracts."

So that said section 3246 of the Revised Statutes of the United States shall read as follows:

"Sec. 3246. Nothing in this chapter shall be construed to impose a special tax upon vintners who sell wine of their own growth, or manufacturers who sell wine produced from grapes grown by others, at the place where the same is made or at the general business office of such vintner or manufacturer: *Provided*, That no vintner or manufacturer shall have more than one office for the sale of such wine that shall be exempt from special tax under this act; nor shall any special tax be imposed upon apothecaries as to wines or spirituous liquors which they use exclusively in the preparation or making-up of medicines."

"Nor shall any special tax be imposed upon manufacturing chemists or flavoring extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation or extraction, if said recovered alcohol or spirituous liquors be again used in the manufacture of flavoring extracts."

Mr. UNDERWOOD. Mr. Speaker, I ask that the report be read in my time.

The report [by Mr. KITCHIN] was read, as follows:

The Committee on Ways and Means, to whom was referred the bill (H. R. 12303) to exempt flavoring-extract manufacturers from the payment of the internal revenue tax for reclaiming alcohol—

A bill to amend section 3246 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879.

Be it enacted, etc., That section 3246 of the Revised Statutes of the United States, as amended by section 5 of the act of March 1, 1879 (20 Stats., p. 327), be, and the same is hereby, amended by adding thereto the following:

"Nor shall any special tax be imposed upon manufacturing chemists or flavoring-extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation or extraction, if said recovered alcohol or spirituous liquors be again used in the manufacture of flavoring extracts."

So that said section 3246 of the Revised Statutes of the United States shall read as follows:

"Sec. 3246. Nothing in this chapter shall be construed to impose a special tax upon vintners who sell wine of their own growth, or manufacturers who sell wine produced from grapes grown by others, at the place where the same is made or at the general business office of such vintner or manufacturer: *Provided*, That no vintner or manufacturer shall have more than one office for the sale of such wine that shall be exempt from special tax under this act; nor shall any special tax be imposed upon apothecaries as to wines or spirituous liquors which they use exclusively in the preparation or making up of medicines."

"Nor shall any special tax be imposed upon manufacturing chemists or flavoring-extract manufacturers for recovering tax-paid alcohol or spirituous liquors from dregs or marc of percolation or extraction if said recovered alcohol or spirituous liquors be again used in the manufacture of flavoring extracts."

having considered the same, report thereon with the recommendation that it do pass.

The amendment provided for in this measure merely extends to manufacturers of flavoring extracts the same rights and privileges now enjoyed by wholesale drug houses and manufacturing chemists to distill from their marc alcohol already used without requiring them to pay a tax on the still used in the operation. The reuse is an incident of the business, and the alcohol so recovered is not of a character that would permit of its introduction in any other business. The amount remitted involves a curtailment of approximately \$600 in Government revenues. The Secretary of the Treasury reports on this amendment as follows:

"In addition to placing beyond controversy a right which is conceded by this department to attach under existing law, goes further and authorizes manufacturing chemists or flavoring-extract manufacturers to recover alcohol or spirituous liquors from dregs or marc of percolation or extraction to be again used in the manufacture of flavoring extracts without liability to special tax as rectifiers. As it is the understanding of this department that, while such reused alcohol has to some extent been refined or purified over its previous condition, it can not be so perfectly refined or purified that it may again be used on

the open market in competition with ordinary spirits, this department will offer no objection to the passage of the bill."

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote whereby the bill was passed was laid on the table.

COMPENSATION OF THE COLLECTOR OF CUSTOMS, OMAHA.

Mr. UNDERWOOD. Mr. Speaker, I desire to call up the bill H. R. 6867 on the Union Calendar.

The Clerk read as follows:

A bill (H. R. 6867) to increase and fix the compensation of the collector of customs for the customs collection district of Omaha.

Mr. UNDERWOOD. Mr. Speaker, this bill is on the Union Calendar. It is to correct a clerical error. It is a unanimous report and is recommended by the department, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the compensation of the collector of customs for the customs collection district of Omaha shall be increased from \$2,500 per annum, as provided in the plan of reorganization of the customs service promulgated by the President on March 3, 1913, to \$3,500 per annum, and that compensation at the said rate of \$3,500 per annum shall be paid to the said collector of customs for the whole of the fiscal year ending June 30, 1914.

Mr. UNDERWOOD. Mr. Speaker, this bill is to fix the salary of the collector of customs at Omaha. There was a mistake made when President Taft made his order fixing the salaries generally throughout the United States. The Treasury Department has said that this salary ought to be \$3,500, but it was fixed by this order at \$2,500. The House can readily recognize the fact that \$2,500 is a powerfully low salary to fix for a collector of customs of a town the size of Omaha. This is to correct the clerical error and make it \$3,500 instead of \$2,500.

Mr. FITZGERALD. Will the gentleman yield?

Mr. UNDERWOOD. Certainly.

Mr. FITZGERALD. Does this provide for the payment of back salary?

Mr. UNDERWOOD. That is a question for the gentleman's committee.

Mr. FITZGERALD. Oh, no; it is not. If I caught the reading correctly, this bill provides that the compensation shall be paid for the entire fiscal year of 1914. I do not think we ought to pay this increased rate prior to the time this bill becomes a law.

Mr. MANN. Will the gentleman from New York yield?

Mr. FITZGERALD. Yes.

Mr. MANN. The gentleman will remember that we reorganized the collection districts.

Mr. FITZGERALD. Yes; but a collector was appointed to this office at the salary fixed.

Mr. MANN. The gentleman from New York is mistaken. The collector was in the office before the salary was changed, and this salary was fixed through a clerical error.

Mr. FITZGERALD. But that collector has gone out since that time.

Mr. MANN. No; it is the same collector. The salary was cut down by a clerical error.

Mr. FITZGERALD. It was cut down from what he had been receiving, anyway.

Mr. MANN. It was cut down from what he had been receiving; yes.

Mr. FITZGERALD. I will ask the Clerk to report again that part of the bill which provides for the payment of the salary.

Mr. UNDERWOOD. I will give the gentleman a copy of the bill.

Mr. FITZGERALD. I wish to call the attention of the gentleman from Alabama to the fact that this bill provides that compensation shall be paid at the rate of \$3,500 per annum for the whole of the fiscal year ending June 30, 1914. That would be up to the 30th of last June, and then, from that time until this bill becomes a law, he would get paid at the rate of \$2,500 a year.

Mr. UNDERWOOD. No.

Mr. FITZGERALD. That is the effect of the bill as it now reads. I will move to strike that part out. The gentleman can see that as this bill is now worded he is to be paid at the rate of \$3,500 up to the 30th of June, 1914, and that from July 1, 1914, until the time the bill takes effect the salary would still be \$2,500.

Mr. UNDERWOOD. I will state to the gentleman that this bill, of course, was introduced some time ago.

Mr. FITZGERALD. I understand that.

Mr. UNDERWOOD. It was expected to be passed some time ago, but this is the first opportunity we have had to call it up. I will say further that we have been very liberal in the matter. The present occupant of the office is a Republican, who has been holding it all of the time.

Mr. FITZGERALD. I had hoped that he might go out when we cut the salary down. [Laughter.]

Mr. UNDERWOOD. The situation is simply this: When President Taft made his order in this matter, through a purely clerical error this man's salary was cut to twenty-five hundred dollars a year when it ought to have been thirty-five hundred dollars a year. He had been receiving the higher salary before that time.

The Treasury Department, I understand, assured him that it would recommend that the salary be placed back where it was, and he went on holding the office under those circumstances. I do not know whether he would have held the office regardless of that assurance or not. He probably would, but, nevertheless, it was cut down through a mistake, and there is no question in the world that \$3,500 is not an unreasonable salary to pay the collector of customs at Omaha. It is the absolute recommendation of the Treasury Department, and there is no question about the fact that when the order of President Taft was made it was simply and purely a clerical mistake through which this man's salary was cut to \$2,500. I see no reason why the man should not have the salary.

Mr. FITZGERALD. I will suggest to the gentleman from Alabama that if he thinks he should be paid at the rate of \$3,500 this part of the bill to which I refer should be amended.

Mr. UNDERWOOD. I will be very glad to amend that.

Mr. MANN. It ought to cover the expired portion of the fiscal year 1915.

Mr. FITZGERALD. Why not make it read "shall be paid at the rate of \$3,500 from March 3, 1913"?—although I would like to add also a proviso that this Republican either resign or be removed peremptorily from the office. [Laughter.]

Mr. MANN. Privately, and not for publication, I might say to the gentleman from New York that I think the chances are that a successor would have been appointed to this office in place of the present incumbent if it had not been for this clerical mistake, which the Treasury Department, as I believe, thought warranted his remaining in office at least until this mistake was corrected.

Mr. FITZGERALD. Oh, I have not anything against any Republican retiring to private life, but would Godspeed them all from public life. [Laughter.]

Mr. MANN. Oh, the wish is father to the thought, but the tide is running the other way, I will say to my friend.

Mr. FITZGERALD. Oh, no; it is only a temporary lull.

Mr. UNDERWOOD. Mr. Speaker, I move to amend by striking out, in lines 10 and 11, after the word "customs," the words "for the whole of the fiscal year ending June 30, 1914," and inserting in place thereof the words "from and after the 3d day of March, 1913."

Mr. MANN. I think that should be July 1, 1913.

Mr. UNDERWOOD. That is correct.

Mr. MANN. The reorganization took effect July 1.

Mr. UNDERWOOD. That is correct. It should read "from and after the 30th day of June, 1913."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Strike out, in lines 10 and 11, the following language: "for the whole of the fiscal year ending June 30, 1914," and insert in lieu thereof the following: "from and after June 30, 1913."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Line 7, strike out the figures "\$4,500" and insert in lieu thereof the figures "\$3,500," and in line 9, strike out the figures "\$4,500" and insert in lieu thereof the figures "\$3,500."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill as amended.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. UNDERWOOD, a motion to reconsider the vote by which the bill was passed was laid on the table.

COLLECTOR OF CUSTOMS, LAREDO DISTRICT, TEXAS.

Mr. UNDERWOOD. Mr. Speaker, I call up House resolution 570 for consideration at this time.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 570.

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the House of Representatives all papers or copies thereof and all facts in his possession with reference to the conduct of the collector of customs of the Laredo district, in the State of Texas, as shown by all reports and papers received at the Treasury Department within the last 60 days.

With the following amendment:

Line 2, after the word "directed," insert the words "if not incompatible with the public interest."

Mr. UNDERWOOD. Mr. Speaker, I will ask to have the report read.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. UNDERWOOD. Yes.

Mr. MANN. The latter part of the resolution reads:

As shown by all reports and papers received at the Treasury Department within the last 60 days.

Of course, if that be left in the resolution, it will not produce what the author of the resolution had in mind.

Mr. UNDERWOOD. Mr. Speaker, I had overlooked that, and in view of that fact, and of the further fact that I do not see the gentleman from Texas [Mr. GARNER] present in the Chamber at this moment, I will withdraw the resolution for the present.

The SPEAKER. The gentleman from Alabama withdraws the resolution. Has the gentleman any more business from his committee?

Mr. UNDERWOOD. Mr. Speaker, that is all I desire to call up at this time.

The SPEAKER. The Clerk will call the committees.

ADDITIONAL JUDGE, SOUTHERN DISTRICT OF GEORGIA.

Mr. WEBB (when the Committee on the Judiciary was called). Mr. Speaker, I call up the bill H. R. 17869, providing for the appointment of an additional district judge for the southern district of the State of Georgia.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States shall appoint an additional district judge for the southern district of the State of Georgia, by and with the consent of the Senate, who shall reside in the said district and shall possess the same qualifications and have the same power and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the southern district of the State of Georgia senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

SEC. 3. That the senior circuit judge of the circuit in which the southern district of Georgia lies shall make all necessary orders for the division of business and the assignment of cases for trial in said district between the several district judges therein.

The SPEAKER. This bill is on the Union Calendar.

Mr. WEBB. Mr. Speaker, I ask unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that this bill be considered in the House as in the Committee of the Whole House on the state of the Union. Is there objection?

Mr. MANN. Mr. Speaker, I object.

Mr. WEBB. Then, Mr. Speaker, may I ask the gentleman from Illinois if we can agree on a time in which we can dispose of the bill? I ask unanimous consent—

Mr. MANN. I do not think this side is likely to take up much time, but I do not know how much time my friend over there may desire—

Mr. WEBB. Very little over here—30 minutes or so.

Mr. MANN. I do not know how much time my friend from Indiana [Mr. CULLOP] may desire.

Mr. WEBB. I do not know whether the gentleman is going to speak on the bill.

The SPEAKER. The Chair suggests the gentleman has never made his motion.

Mr. WEBB. I thought we automatically went into the Committee of the Whole House on the state of the Union.

The SPEAKER. The House automatically resolves itself into the committee, and the gentleman from Kentucky [Mr. JOHNSON] will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 17869, with Mr. JOHNSON of Kentucky in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 17869, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 17869) providing for the appointment of an additional district judge for the southern district of the State of Georgia.

Be it enacted, etc., That the President of the United States shall appoint an additional district judge for the southern district of the State of Georgia, by and with the consent of the Senate, who shall reside in the said district and shall possess the same qualifications and have the same power and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the southern district of the State of Georgia senior in commission such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

SEC. 3. That the senior circuit judge of the circuit in which the southern district of Georgia lies shall make all necessary orders for the division of business and the assignment of cases for trial in said district between the several district judges therein.

Mr. WEBB. Mr. Chairman, I do not care to take up the time of the committee to make an elaborate discussion of this bill, because its merits are set out fully in the report, which sometimes it is valid to presume we have all read and it is fair in this case to presume it. It is not a long report, but in brief the reasons why we have reported this measure unanimously, both Republicans and Democrats uniting in asking that this additional judgeship be made, is that the judgeship is needed. I have been here 12 years, and I have seen a number of these judgeships created. I have supported some and opposed others. I know I have opposed the creation of a new judge in my own circuit, because I did not think it was needed, and I have supported some in other circuits because I thought they were needed. But during that 12 years, Mr. Chairman, I do not think I have seen a more meritorious bill than this, so far as the creation of a new judgeship is concerned. The State of Georgia is the biggest State east of the Mississippi River in area. It is a large State in population. The southern district of Georgia, where this new judgeship is proposed to be created, is composed of 76 counties and has something more than a million—to be accurate, 1,354,000—population. Florida, with 700,000 population, as against Georgia's 2,609,000 population, has two judges. Alabama, with 450,000 less population than Georgia, has three district judges. Georgia has but two district judges, and this bill does not create an additional permanent judgeship.

The southern district is composed of five divisions, and the eastern division of the southern district runs clear across the big State of Georgia and takes in the entire coast line, including the important seaports of Savannah and Brunswick, and has a great deal of maritime work to do. In order to give a basis on which to form an idea as to the extent of this admiralty work, which this court is called upon to dispose of in addition to the regular run of litigation, we call attention to the fact that Savannah is the largest port for the export of cotton on the Atlantic seaboard and the second largest in the world; it is the largest naval-stores port in the world, and ranked fourth in general exports in the whole country for the year ending June 30, 1912. Courts are held at Albany, Augusta, Macon, Valdosta, and Savannah, five big cities in which there is much litigation, and I do not think that a strong, young, vigorous man could do the work that is required in this southern district. This district has 100,000 more population than the northern district, and instead of having a strong, healthy, active judge, Judge Speer, the presiding judge in this southern district, is a man whose health, as a matter of common knowledge, has been extremely bad for the last five, six, or seven years; so bad that he has found it necessary to leave his district every summer and go to the mountains of Georgia or North Carolina and not return until November or December. It is further known that we passed a resolution last June a year ago authorizing an investigation of the conduct of Judge Speer to determine whether we should ask the Senate to impeach him. The committee had that resolution under consideration for a year or more, and during that time Judge Speer did no work whatever in his district. He did not feel that he should do work while his conduct was under investigation. In the meantime the work was piling up.

The work in this district has grown as its population and wealth have increased. It has also been increased by the new equity rules promulgated by the Supreme Court. Rule 46 of the new rules makes a wide departure from the old equity practice in providing that the testimony of witnesses shall be taken orally, save in matters of account, in which case a reference to a master is provided for by rule 59. This imposes upon the judge of the district court a much greater burden than hitherto existed, where it had been the universal practice to have the testimony taken by a master.

Under the new rules it is also contemplated that the judge of each district court shall hold a motion day once each month in each division of his district. On account of the fact that the courts in this district are so far apart, it must necessarily follow that at least one week out of each month will be devoted to this purpose if the rule is complied with.

Hon. George W. Wickersham, then Attorney General, did his best to relieve the congestion of work in this district, and designated Judges Grubb and Sheppard to go into the southern district and help out. That helped temporarily, but the cases have piled up until there are between 500 and 700 cases on the dockets now. If he was a vigorous young judge, he could not clear up this docket within a reasonable time. It is impossible for Judge Speer to do it. He is very frail and weak, and over 66 years old now, and we recommend the appointment of this additional judge, because the business of the district demands it. The lawyers of the district, representing the several parties, all want it. The dockets are crowded, and the cases ought to be heard. Some of our friends from Georgia feel we should create a new judge entirely for Georgia, but the committee did not take that view of it. We simply create this judge and provide that when Judge Speer retires or resigns or passes away by natural causes that his successor shall not be appointed, so this is just a temporary measure to relieve the congested condition of the docket which is in a very lamentable condition at present, as Attorney General McReynolds wrote the committee some four or five months ago.

I have a letter here from the then Attorney General, Mr. McReynolds, in which he makes the statement that the condition of business in the southern district of Georgia is lamentable. The committee is unanimous in its report. I could give you further argument in favor of the creation of this judgeship. I am frank in saying I have never seen a more meritorious proposition presented to the House. It ought to be passed for the purpose of facilitating business. There is no judge there who could clean up the docket inside the next four or five years, if he should start to work now.

Mr. Chairman, I reserve the balance of my time.

Mr. CULLOP. Mr. Chairman, I would like to ask the gentleman from North Carolina a question. Is not the reason for the introduction of this bill to have litigants escape Judge Speer's court?

Mr. WEBB. Oh, no, Mr. Chairman. That is the first suggestion I have ever heard of that kind in my life.

Mr. CULLOP. Well, has there not been complaint in regard to his manner of holding court?

Mr. WEBB. Universally.

Mr. CULLOP. Universally?

Mr. WEBB. Yes, sir.

Mr. CULLOP. Then one of the objects is to have the litigants escape?

Mr. WEBB. Not at all. The litigants in his court have no more cases there—

Mr. CULLOP. The others keep away from the court because of his manner of holding court and his treatment of cases and litigants?

Mr. WEBB. There are between 500 and 700 litigants there now who brought their cases there in his court. They could not bring them elsewhere.

Mr. CULLOP. I notice there is not an extraordinary number set out in this report that would make a docket so that a court could not dispatch the business before him readily. The number of cases is not so large.

Mr. WEBB. As I said a while ago, if we had a strong, vigorous, active judge he might clean up the docket there in three or four years. The maritime business is big in Savannah, and ought to be disposed of readily, because vessels are transient. They have not tried a civil case before a jury in two years in the eastern division in this southern district.

Mr. CULLOP. Does not the gentleman think if the Judiciary Committee would report against Judge Speer, he would promptly resign, and a judge would be appointed there who would dispose of the business of the court?

Mr. WEBB. No.

Mr. CULLOP. That is the unfortunate condition, then, of the people in Georgia, but the population and the amount of business are certainly not such as would require two judges. And it seems to me that the purpose of having this bill passed is practically the retirement of Judge Speer on salary and some other judge to transact the business of the court.

Mr. WEBB. How else would my friend transact the business piling down there?

Mr. CULLOP. Now, there is another way to get at it without appointing another judge and putting an additional salary upon the taxpayers of the country.

Mr. WEBB. I wish the gentleman would suggest it.

Mr. CULLOP. I think if the people take hold of it they can in some way relieve that situation by having Judge Speer resign, and from what the gentleman has said it looks as if there is pretty strong reason for that being done.

Mr. WEBB. The gentleman from Minnesota [Mr. VOLSTEAD], who is on the committee, and the gentleman from Illinois [Mr. FITZHENRY], and the entire Judiciary Committee, know that Judge Speer is not going to resign or retire until he reaches the age of 70.

Mr. CULLOP. If this practice should be continued, you would have two judges in all the districts of the country.

Mr. WEBB. Yes; the practice has been followed in Maryland during my term of service here and in Pennsylvania, and I believe in some other cases, but there is no other way in which you can relieve the docket. Justice Moody, of the Supreme Court, I believe was retired in the same way.

Mr. CULLOP. Yes, sir. And I believe it was a mistake to enact that legislation.

Mr. WEBB. I will say to the gentleman that if we had reported the impeachment of Judge Speer and called him up here and tried him it would have been the costliest of the two remedies, but it might have been a remedy.

Mr. CULLOP. The fact that Florida has two judges, with perhaps one-third of the population, is not any excuse for having an additional judge in this district. Florida may have too many judges. I know some States with a population of over 3,000,000 that have only one district.

Mr. HOWARD. Will the gentleman from North Carolina permit me to ask the gentleman from Indiana a question?

Mr. WEBB. Yes.

Mr. HOWARD. As a matter of fact, you will admit that all the Federal judges throughout the entire country, so far as provided for by law, are overworked, will you not?

Mr. CULLOP. No; no; not at all. That is not the case in many, many of the circuits.

Mr. WEBB. I do not wish to divert my friend from his original discussion, but I would like to put in the RECORD for his consideration and the consideration of the committee a letter of Judge McReynolds, dated August 4, this year:

OFFICE OF ATTORNEY GENERAL,
Washington, D. C., August 4, 1914.

Hon. EDWIN Y. WEBB,
Chairman Judiciary Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. CONGRESSMAN: Permit me to reply to your letter of this date, inclosing H. R. 17869, providing for the appointment of an additional district judge for the southern district of Georgia, and the report to accompany the same.

Under existing circumstances it seems to me essential that there should be another judge in the southern district of Georgia. The conditions there are lamentable, and I know of no other way in which they can be speedily remedied. I hope that the bill may be promptly enacted into law.

With high regard,

Faithfully, yours,

J. C. McREYNOLDS,
Attorney General.

I assure my friend the Judiciary Committee have gone into this matter very carefully from every possible angle. Unless my friend from Indiana wants the business to stand congested and clogged as it has been for the last three or four years, then he ought to support this bill.

Mr. CULLOP. I desire to say, Mr. Chairman, in reply to the statement of the gentleman from North Carolina on that subject, that I am not in favor, every time there is a congested court docket, of appointing an additional judge temporarily, as this bill proposes to do, for the purpose of relieving that docket. There are times when court dockets will become congested in nearly every section. There are other times when they are not congested, and if every time a docket becomes congested we are to appoint an additional judge it would simply be to duplicate these matters over the country.

Now, if Judge Speer is not a satisfactory judge—and from the complaints I have heard here for at least three years, from what has been stated here already, and from what has heretofore been said in reference to this matter, I assume that to be largely the case—that is the misfortune of the people in that district, and it seems to me that if that is the case, some means should be devised to relieve them of that situation, instead of burdening the entire population of the country to sustain a duplicated judgeship there. That is what this means, and nothing more.

Now, many times court dockets will become congested. If every time that happens you are to go to Congress and have a new judge appointed, simply to relieve the situation, such a proceeding would be unfair to the public and unfair to the judiciary of the country.

Mr. WEBB. Well, I do not think the judiciary of the country, represented by the Attorney General—both in the person of Mr. Wickersham and that of Mr. McReynolds—would be unfair to the judiciary. They both think we ought to have another judge down there. The judiciary, I submit, is as fair to the country and to the judiciary itself as the gentleman from Indiana is, and the judiciary thinks that we ought to have another judge there.

If I had the power of physical healing and could by magic make Judge Speer a strong man of 45 years of age, this committee would not ask for a new judge; but, in fairness to the public and to a quarter of a million of people in the southern district of Georgia, we ask to have this bill passed. We can not impeach a man because he is sick, or because he is unable by reason of physical infirmities to do the work, and the people of Georgia ought not to suffer because of that situation, and the House of Representatives ought not to let a people suffer under those circumstances. [Applause.]

Mr. CULLOP. Mr. Chairman, I think, from the remarks of the gentleman from North Carolina, that he evidently has the wrong bill here. Instead of a bill appointing a judge to assist this judge in clearing the docket he ought to have a bill here for the creation of a new district in the State of Georgia.

Mr. WEBB. I will say to my friend that there is a very powerful sentiment from Georgia knocking at the doors of this Congress in favor of a new district. But in order to be economical, and in order to meet the criticisms of just such men as my friend from Indiana, we held that down and concluded not to do it at this session of Congress, at least, and hoped to get along with a temporary judgeship. I may say that there are bills pending before our committee now asking for a new district and a permanent new judge.

Mr. CULLOP. Mr. Chairman, from the showing that is made in this report, with all deference to my friend from North Carolina, I do not think this bill ought to pass. This practice of legislating in this way is not, to say the least of it, a very good one. Where there is more business than one judge can handle with reasonable effort a new district ought to be created. Some day there will be trouble about jurisdiction in matters of this kind. I do not know what the state of health of Judge Speer is, but I do know that for several years there has been more complaint about the manner of his administration of justice and the administration of his court than there has been about his bad health. It is not long since a resolution was passed by this body, or at least considered by this body, asking for his impeachment. I think consideration of it was had by the Committee on the Judiciary and a report was made. What the report was I do not know. But certainly this is a bad practice to fall into—the duplicating of the judgeships of the country—and some day serious trouble will arise over jurisdiction in matters where this practice is indulged. I hope the bill will not pass.

I reserve the balance of my time, Mr. Chairman. [Cries of "Vote!" "Vote!"]

Mr. VOLSTEAD and Mr. DONOVAN rose.

The CHAIRMAN. The gentleman from Minnesota [Mr. VOLSTEAD] is recognized.

Mr. VOLSTEAD. Mr. Chairman, I would like to say a word in reference to this bill, inasmuch as I was connected with the investigation of the charges made against Judge Speer. This bill has been brought to the judge's attention. He does not ask that another judge be appointed, but I believe there ought to be one appointed. For some time the calendar in his court has been congested. It could not help but be congested, because after the charges were brought against him he quit doing any work. He felt that he ought not to try contested cases while the charges were pending against him. In that I think he was right. During that time—and it has been a long time—there has been a great accumulation of business in his district.

Now, Judge Speer is 64 or 65 years of age.

Mr. WEBB. He is 66; pretty near 67.

Mr. VOLSTEAD. He has been on the bench for almost 30 years. Most judges when they retire have not served for any such length of time as he has, so that no injustice to the public would be done should Judge Speer be retired at his present age. This bill, while it does not retire Judge Speer, relieves him of a part of the work in his district, a thing which it seems to me we may very properly do, in view of his long service and the condition of his health. He will still be able to do considerable work in the future; but I do not believe that in the next three or four years he should be asked to take care of the business in that district in the condition in which it now is. I do not believe he has the strength to do it; he might, if it had not been for the accumulation to which

I have referred, an accumulation for which we are in a measure responsible.

It is said that there is a good deal of complaint against Judge Speer. That is true, but he has his friends as well as enemies, as every strong and forceful character such as Judge Speer always has. No one questions his ability. He is one of the brightest and, I believe, cleanest and strongest men on the bench. While he has enemies, I am sure he can without the slightest difficulty try cases in any section of the district except, perhaps, at one point. There is one place perhaps where it would be less fortunate if he was compelled to try cases, and that is the city of Savannah. His enemies appear to be much more numerous there than at any other place. I believe that at Savannah some one else might serve the public better, not because Judge Speer would not be absolutely fair, nor because he lacks ability, but because of this feeling against him. I think it would be better for the public service to have some one else go there and try the cases. I think we should give the people of Georgia the best service we can.

Judge Speer has served the country more than 29 years on the bench. He has, as I believe, served it faithfully and with distinguished ability. With a task too great for his health and strength, why is it not just to give him this relief? I think in the interest of the public service it would be perfectly proper for us to do so. He has enemies because he has rendered conspicuous service with a courage that deserves commendation. I admire him and honor him for the enemies he has made. But this bill is not asked in his interest, but in the interest of the public service. I believe it should pass.

Mr. EDWARDS. Mr. Speaker, I regret very much that my friend from Indiana [Mr. CULLOP] has offered any opposition to this bill, especially in the face of the report which shows clearly and conclusively that this third judge is so badly needed in our State. As has been said by the chairman of the committee, Mr. WEBB, and as is pointed out in this report, for a number of years Judge Speer has not been a well man, and on account of his health the business in that district has been neglected.

It is pointed out in this report that the eastern division of this court is made up of 16 counties, which embrace the entire seacoast of the State of Georgia, and in it are the two important ports of Savannah and Brunswick. In consequence of that all cases coming within the admiralty jurisdiction of the United States courts and brought in this district are necessarily heard and determined in the eastern division of the southern district of Georgia.

There is no class of cases where a speedy trial is more desirable than in administering the admiralty law. If these cases are speedily tried it is possible to produce before the court witnesses who would be otherwise inaccessible, as most of them are transients. In order to give a basis on which to form an idea as to the extent of this admiralty work which this court is called upon to dispose of, in addition to the regular run of litigation, I call attention to the fact that Savannah is the largest port for the export of cotton from the Atlantic seaboard and the second largest in the world; it is the largest naval stores port in the world and ranks fourth in general exports in the whole country for the year ending June 30, 1912.

So far as the admiralty practice is concerned, for a number of years it has been neglected and has been turned away from the courts at Savannah and Brunswick, for the reason that we have not had a judge to try these cases. Judge Speer resided for a number of years at Macon, Ga., over 100 miles from the city of Savannah, and we have had no judge down there to try this class of cases. The result is that if the citizens of Georgia and the people who are interested in that class of cases wanted their cases tried they had to go to some other State.

Now, we are in a terrible fix down there. The dockets of the court are congested. Relief is absolutely demanded, and I do not want my friend the gentleman from Indiana to give the impression that this is relief for a single State, or even for an immediate district. It is relief for the country at large. It is not only the Georgia people's court, but the court of the people of the country. I am surprised that the gentleman should offer any objection whatever to the passage of this bill, because the need of it is very great, and it is apparent to any man who will study this report carefully and honestly and who is willing to do the fair thing by the people in distress, as we are, and the fair thing by his country.

As far as I am concerned, I would a great deal rather have a third district created and have in that State a third judge permanently. There is Florida, to the south of us, with not half of our population, with not half of our business in the courts, and they have two judges. Alabama, to the west of us, has

three judges. And Alabama has a population 450,000 less than the State of Georgia. I dare say that the State of Alabama has nothing like the great number of cases in its three courts that we have in the two. Now, it is not my purpose to say anything against Judge Speer. He is not on trial. For a long time the people of Georgia have been patient and suffering in waiting for the relief that they beg for to-day.

I hope, my friends, that you will come to the relief of a people who have suffered patiently and long. The question may arise in the minds of some gentlemen in this Chamber as to why Judge Speer is not gotten rid of. My friend from Indiana [Mr. CULLOP] asked the question if we can not induce him to resign. Why, you may just as well try to induce the gentleman from Indiana to resign from Congress as to try to induce Judge Speer to resign from the bench. The subcommittee that had under investigation the charges that were preferred against Judge Speer had this to say, and this is the conclusion, on page 164 of the report, that was submitted here by Mr. Chairman WEBB, and, with the consent of the committee, I will insert all of it.

The conclusion of the subcommittee, deduced from the evidence taken and from the construction of the precedents of impeachment trials, is that at the present time satisfactory evidence sufficient to support a conviction upon a trial by the Senate is not obtainable.

In the conduct of the hearings the committee was extremely liberal and did not confine the witnesses to the giving of technically legal evidence. Some evidence of a hearsay nature was received. The committee felt justified in such a course in the light of the fact that it came to the attention of the committee that many witnesses were apprehensive of the consequences of giving evidence against Judge Speer in the event of his acquittal. This feeling and the general disposition on the part of individuals to protect themselves against what was termed the "wrath" of Judge Speer kept from the committee the names of the witnesses and a knowledge of the facts in their possession. Some of the witnesses whose testimony would be absolutely necessary to sustain some of the charges made are dead. Others have removed from the southern district of Georgia and their whereabouts are unknown.

Another phase of the record is that it details a large number of official acts on the part of Judge Speer which are in themselves legal, yet, when taken together, develop into a system tending to approach a condition of tyranny and oppression. There has been an inequitable exercise of judicial discretion, many instances of which have been frequently criticized where the cases in which they were committed have been reviewed by the courts of appeal, while in others litigants were unable, financially, to prosecute appeals. That the power of the court has been exercised in a despotic and autocratic manner by the judge can not be questioned.

The Jamison case is one of many instances shown by the record where the judge, without taint of individual corruption and with the apparently laudable purpose of purifying the community and inaugurating a civic reform, disregarded the law and apparently considered that the end justified the means.

The record shows instances where the judge sitting in the trial of criminal cases, apparently forced pleas of guilty from defendants or convictions, and there is strong evidence tending to show that in one case, at least, he forced innocent parties to enter such pleas through a fear of the consequences in the event of an unfavorable verdict at the hands of a jury presided over by the judge in the manner peculiar to himself.

As was said by the Committee on the Judiciary in reporting a similar case:

"Terror to evildoers, if purchased at the price of judicial fairness and overstrained legal authority, is achieved at too great an expense, for it defeats its own high aim and warps the very fabric of the law itself.

"The temptation of an honest judge to

"Wrest once the law to his authority,

To do a great right—do a little wrong—"

is fraught with such danger to our whole system of remedial justice that it merits the condemnation of every legal mind."

The subcommittee regrets its inability to either recommend a complete acquittal of Judge Speer of all culpability so far as these charges are concerned, on the one hand, or an impeachment on the other. And yet it is persuaded that the competent legal evidence at hand is not sufficient to procure a conviction at the hands of the Senate. But it does feel that the record presents a series of legal oppressions and shows an abuse of judicial discretion which, though falling short of impeachable offenses, demand condemnation and criticism.

If Judge Speer's judicial acts in the future are marked by the rigorous and inflexible harshness shown by this record, these charges hang as a portentous cloud over his court, "impairing his usefulness, impeding the administration of justice, and endangering the integrity of American institutions."

The special subcommittee recommends the adoption of the following resolution:

Resolved, That no further proceedings be had with reference to H. Res. 234.

E. Y. WEBB,
LOUIS FITZHENRY.

Yet my friend from Indiana [Mr. CULLOP] asked if we can not get Judge Speer to resign, and he asked if there are not people there who do not want to bring cases in his court. Mr. Chairman, the conditions there have been and are deplorable, which is a matter of common knowledge throughout that entire section. There are people who do not want to bring cases in his court, who would rather suffer great loss than bring cases in his court. As I stated a while ago, conditions down there normally require a third district and a third judge, but we see that it is not practicable at this time to get a third district; but, gentlemen, please do not deny us this relief. Think of the great port of Brunswick, the great port of Savannah, without a district judge, without courts to try the admiralty cases

and other cases that arise there, with the dockets congested, some five or six hundred cases on the dockets to-day. Attorney General Wickersham, under the Republican administration, made a report that I will here insert in my remarks, with the consent of the committee, pointing out wherein a third judge is needed, which report is as follows:

The examiner who examined the office of the United States attorney for the southern district of Georgia two or three months ago reported to me, among other things, the number of civil and criminal cases pending July 1, 1910, and commenced and terminated during the fiscal year ending July 1, 1911. This data showed that the total number of cases instituted during the period from July 1, 1909, to June 1, 1912, was 360, of which 46 were civil and 314 criminal. During the same period 225 cases were disposed of, being 135 less than the number instituted. In other words, the number of cases disposed of equaled about 62 per cent of the number instituted, and at this rate, of course, the work of the office was steadily falling behind. The total number pending July 1, 1909, was 145; July 1, 1910, 157; July 1, 1911, 242; June 1, 1912, 280. On the date of the examination there were 17 civil cases that had been pending for more than two years, and 107 criminal cases that had been pending for longer than one year. As to this the examiner said:

"The fact that the number of pending cases has been increasing seems not to be due to lack of effort on the part of the attorney and his assistants to dispose of the cases, but rather to lack of time on the part of the court to try them. The records show that in numerous instances witnesses have been summoned, appeared, and both parties were apparently ready for trial, but owing to the accumulation of business before the court, or for other reasons, the cases were continued until the following term."

In view of these facts, I instructed Mr. Akerman to take steps to secure some additional assistance in the district to clear up the docket, etc.

Attorney General McReynolds, now on the Supreme Court of the United States, called the condition "lamentable." How much stronger language does my friend from Indiana want from a great man like Mr. Justice McReynolds, who understands the conditions so well? What further proof does he want of the fact that we people down there need and must have relief? I beg of you, my friends, not to so much consider, what a gentleman clear across the country from the section concerned, clear across the country from Georgia, thinks, not to consider so much his lack of knowledge of affairs, but to take into consideration what the chairman of this committee has stated, and take into consideration what this report says, what Attorney General Wickersham and Attorney General McReynolds have said, and give to these people relief in order that the public business may be transacted. I stand for economy also, as much as does my friend from Indiana, but at the same time I stand for justice. I want to see economy practiced on every hand, but we do not want to see it practiced at the expense of the public business nor at the expense of the rights of the citizens of the United States. To pass this bill is in the interest of economy and is demanded in order that the people of that judicial district might have relief and in order that the business of the courts might be transacted.

Mr. BRYAN. Mr. Chairman, in the last session of Congress, when a Pennsylvania judgeship proposition was up, I took occasion to oppose that bill, because I did not think it was right to follow that kind of a policy or adopt that kind of a precedent. In that particular case the matter of the health of the judge was presented in practically the identical form and fashion that it is presented now. Perhaps that feature—the sickness of Judge Holland, in Pennsylvania—was more emphasized. The honesty of the judge there was not impeached. There was no question about his integrity; but the fact that the people of that district needed another judge because of a large and crowded docket, because of the tremendous pending business, and the utter inability of the judge then sitting to perform the duties for which he was paid and which he had sworn he would perform, we were asked to appoint a Federal judge for that district in Pennsylvania to serve until the death of the non-performing incumbent. We now have the case of Georgia. We have there not only a sick judge—and I understand the sickness is rather of recent development—that is, the acuteness of the diseases with which Judge Speer may be suffering physically is of recent development rather than of general knowledge heretofore—but we have a judge who is not performing his duty, who is violating the oath that he took to faithfully and completely perform the duties of that office. We have no pension system in this country for Federal judges less than 70 years of age. We have ruled against pensioning Federal judges before their retirement. They are permitted to serve during their life, but while they are active on the bench they are obligated to perform their duties, and on the pay roll they are in the same position as a Government employee. We go down here to the Post Office Department and we find some old soldier, northern or southern, or some one else, who gets old and incompetent, and he is booted out of the service; his family is not considered. The earning capacity of that man, and that sort of thing, and his economic necessities are given no consideration whatever. But when a Federal judge gets to a point of this kind you come

in and ask for another judge to collect full pay for life. I believe that is wrong. I believe it is wrong and it is a bad precedent to follow, merely because the pending judge is not performing his duties. I think there ought to be some kind of a way to make him make good.

Mr. HOWARD. Mr. Chairman, will the gentleman yield?

Mr. BRYAN. Yes.

Mr. HOWARD. What are you going to do in a case like this: Here is a man who is too sick to attend to the business of the court, and who is too poor to lose the money, and who will not resign. Whom are you going to make suffer?

Mr. BRYAN. I think the people who stand for that kind of thing, the people of this country, who will not provide a decent or more satisfactory method of electing judges, ought to suffer.

Mr. HOWARD. Oh, I see. The gentleman thinks that they ought to be elected by the people or recalled. I understand.

Mr. BRYAN. They ought to suffer all over the country until public sentiment demands the election of Federal judges for a definite term, so that when their six or four years, as the case may be, are up, they are compelled to give up their commissions unless they are satisfactory public servants, in the opinion of the electorate, and I think that if we provide these relief measures every time a judge gets sick or is temperamentally unfit to perform the duties of his office, and we provide another judgeship until he shall die, there never will be any opportunity for these more substantial reforms.

Mr. WEBB. I share somewhat in the views which the gentleman has been discussing, but it is not a theory we are dealing with. It is an actual condition.

Mr. BRYAN. That is what I am dealing with, too.

Mr. WEBB. And this is the very best we can do under the conditions. It might be well to change the Constitution and laws later on, and I think I will join with the gentleman myself in changing them, to some extent, but this is a condition we are met with, and we have to meet it the best we can under the imperfect conditions, as he asserts, which the gentleman has been arguing, as we can not do it now according to the way the gentleman desires to have it done. In this connection I want to call the gentleman's attention to a condition which prevails, I think, in Texas. There is a circuit judge, I believe, 83 years old in the fifth circuit. I understand he never goes on the circuit court of appeals at all, and if he does go he is rolled in sitting in a chair, but I understand he does not go at all. He will not resign and he will not or can not work. I agree with the gentleman that under those circumstances something ought to be done. He ought to be forced to resign and take the pay the Government gives him after he reaches the age of 70, or he ought to be impeached, or a new judge should be added to the circuit.

Mr. BRYAN. Well, if there is no protest made when it comes to legislative measures to relieve that condition, if these abortions are not called to the attention of the public in some way through some kind of a protest, we never will get a change. If we are going to allow Federal judges or any particular set of officers to set at naught the laws, disregard the statutes, and violate their oaths by which they pledge themselves to perform their duty, and we allow them to collect their salaries and spend the money of the people that they have not earned, we become as guilty as they. In such a case I think the only way to effect a change is to refuse to grant these temporary relief measures and to allow the people to know by actual experience what they are suffering, and depend on public sentiment to make necessary changes.

Mr. WEBB. That would be punishing the people in the district because of our dereliction here in Congress.

Mr. BRYAN. Oh, no; but the people ought to fire you and me if we do not do the right thing. One gentleman says that the proposition here presented is that this judge is old, that he is weak, and he is in bad health, and he has to go to the mountains and spend half of his time or something of that kind. If that is true and he is not performing the duties of his office, it does not make any difference if he is temperamentally unfit, and it does not make any difference if he is subject to all the charges that have been presented here and that have been incorporated in the speech of the gentleman who preceded me. The fact remains that he is simply violating his oath. The fact remains that whether he is fit or unfit temperamentally he ought to realize the moral condition in which he finds himself when he takes the money of the people for services which he does not render.

Mr. WEBB. If he does not realize this situation, the people ought not to suffer because he does not, and that does not detract from the merits of this bill.

Mr. BRYAN. The same situation was presented in Pennsylvania and the same thing is presented in case after case, and I

believe if the country knows of it there will be much less chance of such system being perpetuated. I believe each and every case where a judge is doing this kind of business, every case where the judge is sitting there and pretending to mete out justice when he is unfit and unable to do it, by reason of ill health or otherwise, ought to be called to the attention of the people; and if the laws are not adequate, they will see that they are changed; and if it takes a constitutional amendment, they will force Congress to submit one.

Mr. WEBB. I will say to my friend that during the last 12 years, as far as my recollection goes, there have been only two bills of this kind presented to Congress and successors to the presiding judges have not been appointed, though very soon after the new judges were created those in office died; and, really, looking back to those bills now, our action was in the interest of economy rather than extravagance and for the best interest of the people, as I believe this case is.

Mr. BRYAN. Well, Mr. Chairman, for the reasons I have already stated, I am opposed to this kind of a remedy, and I am opposed to this bill.

Mr. CULLOP. Mr. Chairman, before the question is put I believe I have some time remaining?

The CHAIRMAN. Did the gentleman reserve his time?

Mr. CULLOP. Yes, I did; I reserved the balance of my time. In reply to the gentleman from Georgia, I desire to say that the fact that Florida only has so much population, much less than the State of Georgia, does not sustain the proposition he advocates. If a mistake was made there in giving the State of Florida two district judges that does not excuse us for giving the State of Georgia this additional judge. It does not defend the situation at all here by stating that a wrong was committed in Florida. Now, the situation here is such that the people of Georgia want relief from Judge Speer's court, and have employed this method for that purpose. I undertake to say to the gentleman from Georgia that the Attorney General did not recommend this procedure when he recommended relief was needed by the people of Georgia. No Attorney General has recommended this kind of a procedure, a duplication of judgeships in a district in some particular States, but if they have had a congested condition in their litigation in the Federal courts the remedy was by the making of a new district and not by the duplication of the judges in any district.

Mr. EDWARDS. Will the gentleman yield?

Mr. CULLOP. In a moment—and that is clearly revealed as the purpose here, to get away from Judge Speer in the trial of the cases. I think it manifest from what has transpired that such is the purpose.

It is expected that if a judge is appointed here under this proposed bill all of the litigation of that district will go into his court and not into the court of Judge Speer.

Mr. BARTLETT. Will my friend permit me? It is the same court, and the circuit judge at Atlanta designates the places where this new judge shall hold court. Judge Speer, when he is able, will hold court, or, if he is not able, the new judge will hold the court. But he does not go except where directed by Judge Pardee.

Mr. WEBB. We have safeguarded against the very thing which you say the committee had in mind to make and which I deny in most emphatic terms. We had no intention of that. This denies what my friend has intimated here:

SEC. 3. That the senior circuit judge of the circuit in which the southern district of Georgia lies shall make all necessary orders for the division of business and the assignment of cases for trial in said district between the several district judges therein.

Mr. CULLOP. Notwithstanding the provision in the bill just read, litigants can escape Judge Speer's court and go into the court of this newly appointed judge.

Mr. BARTLETT. It is the same court.

Mr. CULLOP. Yes; it is the same court, but a different judge. And while the bill ostensibly provides one thing the real purpose of it is another.

Mr. EDWARDS. Will the gentleman yield, Mr. Chairman?

Mr. CULLOP. In just a moment I will. Now, then, for all that is attempted to be done now we already have a statute. We have a statute that provides that if the business is congested in any court or the judge is unable to hold court the presiding judge of that circuit can designate the judge from some other district to hold the same; and from your neighbor, Florida, you can have one of the judges appointed, who will come over and hold the court and relieve the congested condition of the docket in this district. Now I yield to the gentleman from Georgia [Mr. EDWARDS].

Mr. EDWARDS. I want to suggest to the gentleman, first, that for the last two or three or four years, and I guess five years back, they have been getting judges from Florida and

Alabama, and Judge Newman, from the northern district of Georgia, has been coming there; but with all the help they have not been able to catch up.

Two or three times the gentleman has made reference to the fact that litigants did not want to go into Judge Speer's court. I would like for him to enlighten the House along the line of what reason he has for that statement. He seems to know something that appears to be under cover there. I would like to have him explain to the committee if he has anything up his sleeve.

Mr. CULLOP. I have not, I will say to the gentleman; but I am simply basing what I have said in this regard upon the exhibits and statements that have been made against Judge Speer's court and the manner in which he has held it for some time.

Mr. EDWARDS. If the gentleman will yield further, does not the gentleman think if the judge's conduct is such that it compels people to the inclination not to go into his court—in other words, if he drives them away from his court—it is pretty good reason to give relief?

Mr. CULLOP. It is good reason to give relief, but not in this way. This is a bad precedent. It is an unwarranted policy. We are following, on this question, a bad precedent, one made in the Pennsylvania judgeship and in one or two others in the last few years here, and I think there were one or two prior to that time. That is not the way to get it. It is not fair to set this kind of a precedent. Now, if these judges were appointed for a specific period of time instead of an unlimited time, as they are now, we would not have this kind of cases coming up here for relief. This establishes very clearly the fact that the appointment of a judge for life is wrong, a matter which can not be successfully defended.

Mr. BARTLETT. Will the gentleman permit me?

Mr. CULLOP. I have now pending before the Judiciary Committee an amendment to the Constitution upon this identical question.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. CULLOP. Yes, sir. Always glad to yield to my learned friend.

Mr. BARTLETT. The gentleman knows well enough that if I had an opportunity, with the views that I entertain, I should limit the term of all judges, Federal as well as State. I do not believe in the life tenure of any judge, and I agree with the gentleman from Indiana thoroughly. If I have an opportunity, I will vote for his bill.

Mr. EDWARDS. So will I, I will add.

Mr. CULLOP. I would like to prevail on the Judiciary Committee to report my amendment to the Constitution out and let us vote on it. I have an amendment not only to take the life tenure away, but for the election of these men by the direct vote of the people. [Applause.] If the people of this country are capable of self-government and capable of electing their other officials, they are capable of electing their judges, and they can select them as intelligently as they can be appointed by any power in this country. And that is the way, in my judgment, they ought to be selected.

The Constitution ought to be amended in order to give the people the right to select their own judges, select them at the ballot box by the voters in their respective districts and circuits where they are to hold court. If we had this system, we would not have this kind of a bill pending here for the duplicating of districts and circuits, because the people then would be responsible for the election of judges and would be responsible for their conduct. They would be careful, in that event, in the way they conducted their courts. They could go back to the people for indorsement, and if the people were displeased with the manner of their holding court, the manner of their administration of justice, and the manner in which litigants were treated, they would have the right to change them. But here we are up against the system established by our Constitution, the fundamental law of the land, however grievous the case may be; and the people have no relief whatever from it, and must bear the burden, however troublesome and unsatisfactory it may be. The system is wrong and should be changed. Can anybody conceive a condition more unreasonable and unjust than the condition that we are met with here to-day in this matter, with a judge of a court unable to preside, unable to discharge the duties of his office? And yet, in a country with a hundred millions of people, we are unable to get relief from that condition of affairs, whereas if you elect these judges for a period of six or eight years, or if you appointed them for that period of time, you would have an opportunity for relief.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Wisconsin?

Mr. CULLOP. Yes; I yield to the gentleman from Wisconsin.

Mr. COOPER. Suppose that in a State the people of a State elect a circuit judge of a circuit court for 10 years, and at the end of 6 years of that term that judge is stricken with a fatal disease, thereby rendering him incapable of holding court. What relief have the people of that State and circuit?

Mr. CULLOP. In answer to the gentleman from Wisconsin, I would say that I would not make the term of office for 10 years.

Mr. COOPER. Then suppose it was six years, and the judge was stricken with a fatal disease at the end of three years. What relief has the circuit?

Mr. CULLOP. You would not have relief unless you could take some proceeding to remove the judge or supply his place. We have a provision in many of the States to the effect that if an officer is elected for a specified term, and if he becomes disqualified by illness or anything else to discharge the duties for a specified period during his term of office, the office may be declared vacant. I would have that provision enacted. To meet the exigency such a case could be provided for in both a practical and satisfactory manner.

Mr. McKELLAR. Mr. Chairman, will the gentleman yield?

Mr. CULLOP. Certainly.

Mr. McKELLAR. I will say, in answer to the question asked by the gentleman from Wisconsin [Mr. COOPER], that in Tennessee under the conditions the gentleman has named the governor would have the right to appoint a judge during the illness of the incumbent.

Mr. COOPER. Appointed during the illness of the incumbent, but not to throw the other man out of office, perhaps in penury, without a dollar to keep himself. You would not throw that man out, would you?

Mr. CULLOP. Well, I want to say with reference to putting a man out in penury, without support, I do not think that argument meets the question. There are many good citizens of this country who work in private employment and are stricken with disease when in penury and in want, and yet the public is not required to support them upon a salary. Now, is there any good reason anywhere to be found why a different treatment should be given to a public officer who has been feeding at the public crib than that which is given to the private citizen? If there is, I have never heard it.

Mr. HOWARD. Mr. Chairman, will the gentleman yield for a question?

Mr. CULLOP. Certainly.

Mr. HOWARD. Is it not a matter of fact that we every year appropriate \$7,500 to the widow or legal heirs of a dead Congressman? We do that. Does the gentleman think that is wrong?

Mr. CULLOP. Certainly we do that, and if that is wrong, it certainly does not justify another. One wrong can never be pleaded in justification of another. And yet all the way through this debate in support of this bill the plea is made that we have done this thing in some other case. Now, no question ought ever to be bottomed upon such a proposition as that. Higher considerations ought to underlie every proposition, and that should be whether it is right or not, not whether a wrong has been done in some other case and that set up as a justification for action in this case.

Mr. BURKE of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Pennsylvania?

Mr. CULLOP. In one moment. Let me get through with this first. There is no reason, no good, logical reason, in order to sustain a man by the payment of a public salary because he has sought an office, fought for it, fought to hold it, and then become unable to perform the duties of the office. He could have chosen another calling in life, but he selected his highway, and he ought to abide by what it furnishes and not rest upon the other proposition at all.

Now I will yield to the gentleman from Pennsylvania.

Mr. BURKE of Pennsylvania. The gentleman says he would cure this condition by fixing a specific term of office for a definite number of years. In answer to the question propounded by the gentleman from Wisconsin [Mr. COOPER], the gentleman from Indiana stated he would not make the term longer than six years.

Mr. CULLOP. Yes; I said I would not make it longer than six years.

Mr. BURKE of Pennsylvania. I would like to know what the gentleman's idea is as to the term that a Federal judge should be chosen for by the people.

Mr. CULLOP. Not to exceed six years.

Mr. BURKE of Pennsylvania. If the gentleman were writing a proposed statute, would he fix the term at six years?

Mr. CULLOP. I think I would, and I will tell you why. It is because I have practiced and lived under a system that fixes the judicial office at six years. It is more a question of what I have been used to than anything else, and we are all creatures of environment, more or less. It works well in Indiana. Let me get through with that. If a circuit judge becomes unable to discharge his duties for a reasonable period, not to exceed one or two terms of court, the law provides what officials shall meet and select a man to hold court for him and draw the salary. Now that practice works admirably. We elect our judges. We do not have any difficulty about it, and whenever a Federal judge is appointed, as a usual thing, out in that section of the country, he is taken from a State court. Usually he has been elected by the people for a judicial position. This shows they exercise good judgment, as a rule, in such matters.

Mr. BURKE of Pennsylvania. I have no controversy with the gentleman, but I want to ask him this further question: In view of the satisfaction which that local system has given in Indiana, would the gentleman say, or be willing to say, that a system that has been in vogue for 125 years in a nation which he says is now of 100,000,000 people, a system where, with probably only three exceptions, the remedy sought to be applied to-day has been invoked—would the gentleman say that system has been a failure? [Applause on the Republican side.]

Mr. CULLOP. No; I would not say it was a failure, but I do say it could be improved, and I believe it needs improvement. We have grown so much that the system needs modernizing, like many of our earlier methods of procedure.

There are hundreds of cases, doubtless, in nearly every court, or in many of them, that have fallen under our observation where, if the judge had not been appointed for life, had been answerable to the people for his tenure of office, where the people would have had some control over it, there would not have been the criticism of the administration of justice in the Federal courts that there is to-day, and there would be more litigation in them. As matters now stand in many places people hesitate about going to the Federal courts.

Instances are occurring in many States in the Union of complaints and criticisms that are bringing the Federal courts into disrepute, because, forsooth, the people have no say in the selection of the judges, and therefore avoid it, if possible, with their litigation. This is unfortunate, and the condition should be changed.

Doubtless many of us have witnessed instances where lawyers and litigants in Federal courts have been mistreated, without any excuse except that the Federal judges elect to do it and have the power to do so. They are responsible to no one.

Mr. BURKE of Pennsylvania. I do not recall that fact. My experience and knowledge from reading and observation has been to the contrary. My observation is that there is more uniform courtesy in the courts of the United States than in any other courts of this land; that there is as high, if not a higher, standard maintained in the judiciary of the United States under the present system of appointment than there is in that of any of the States in the Union.

Mr. CULLOP. What I said does not apply to all judges or all courts, but there are instances of that kind in which, if the people had the power, changes would immediately be made for the better. The Federal judge could be elected and provision could be made whereby under such circumstances as this, after a reasonable lapse of time, his place could be supplied, and there has already been some remedy supplied in the Judicial Code passed two or three years ago for the relief that is asked for in this bill.

Mr. BURKE of Pennsylvania. I appreciate the earnestness of the gentleman from Indiana, and my questions are for the purpose of information. I would like to have the gentleman from Indiana to state the notable exceptions that have justified him in asserting his belief that a general fundamental change in the method of selecting the judiciary in the United States should be put in force by the people of this country at this time. What judges, in what districts, in what States, have so demeaned themselves that the system in vogue for a century and a quarter should be changed and a new one established in its place?

Mr. CULLOP. I want to say to the gentleman from Pennsylvania that a question of that kind ought not to be settled by taking a majority of all the cases or courts. But even if there was one, then relief should be had. The administration of justice is too sacred to the people of this country for anything to in any way bring it into disrepute or place it under suspicion;

every available opportunity should be used to raise it above criticism.

Mr. BURKE of Pennsylvania. The gentleman would not say that one case of violation of judicial ethics should require a change in the whole system of jurisprudence?

Mr. CULLOP. I would say that if there was one case and that matter could be remedied and the temptation taken away for the commission of the offense or a repetition of it in like cases, that it ought to be done in order to avoid criticism of the court and to keep the administration of justice above suspicion. I would not require a majority rule in such matters or even frequent instances.

Mr. BURKE of Pennsylvania. Now, I want to ask the gentleman this specific question: What would he do in this case now before the committee?

Mr. CULLOP. I would defeat this bill until a certain condition would come around whereby there would be a vacancy there by the failure to administer justice or some other reason by which the vacancy should be filled.

Mr. BARTLETT. The gentleman would abolish the district?

Mr. CULLOP. No; I would not abolish the district.

Mr. BURKE of Pennsylvania. You would create a new district?

Mr. CULLOP. If they needed a new district for the speedy administration of justice, I would be in favor of it; but I would not be in favor of the creation of a new district for the sole purpose of getting away from the court of some particular judge.

Mr. BURKE of Pennsylvania. That is not my question. Would the gentleman vote for a new district in the face of the present condition? I am not putting a hypothetical case; but in the face of the present conditions, would the gentleman vote to create a new district?

Mr. CULLOP. I do not know what the conditions are; but from the showing made here I would not vote for a new district.

Mr. BURKE of Pennsylvania. If the gentleman would not vote to create a new district, then there is no other way for relief except by the method in this Webb bill.

Mr. CULLOP. I think there is.

Mr. BURKE of Pennsylvania. That is what I want to know; what is the other method?

Mr. CULLOP. I assume that if the judge found that he was unable to hold court or that a large number of people were opposed to the manner in which he held the court, his own self-respect would require him to step out of the way. I assume that would be done by any self-respecting man.

Mr. HARRISON. Will the gentleman yield?

Mr. CULLOP. Yes.

Mr. HARRISON. If I understood the gentleman from Indiana correctly, in his State when a judge becomes ill and can not perform the duties of his office he may appoint some one to take his place and the pay comes out of the treasury?

Mr. CULLOP. He may for a short period of time, if the judge becomes disqualified from illness or any other cause—we have a provision of law naming certain officers who may select a judge to take his place for the time he is disqualified and hold the court. He is paid out of the salary of the judge.

Mr. HARRISON. Is it not a fact that the gentleman is mistaken about that? Does it not come out of the treasury of the State?

Mr. CULLOP. The salary of the judge elected comes out of the treasury.

Mr. HARRISON. But the compensation of the special judge who performs the duties of the man who is sick?

Mr. CULLOP. Not in the instance I have named. If a special judge is appointed by a judge, where the venue is changed, he is paid out of the treasury.

Mr. PETERSON. Mr. Chairman, will the gentleman from Mississippi yield for a moment?

Mr. HARRISON. Yes.

Mr. PETERSON. If a judge is disqualified by sickness for a reasonable length of time, the compensation of the other judge is paid out of the treasury of the State.

Mr. CULLOP. Certainly.

Mr. HARRISON. If in Indiana, when your State judges become ill, you have a mode of appointing some one to take up and perform those duties, does the gentleman not think that in the operation of the Federal Government, where a Federal judge is disqualified by illness, there ought to be some way whereby the people can have a judge perform their labors, and is it not a fact that this is the only way in which you can get one?

Mr. CULLOP. No.

Mr. HARRISON. Because there can not be one appointed now under the law.

Mr. CULLOP. We have already provided a way by statute.

Mr. HARRISON. What is that way?

Mr. CULLOP. The way is for the presiding circuit judge of the appellate court to appoint a judge to hold that court, and he is authorized to hold the court upon the certificate of the presiding judge. He takes a judge from some other jurisdiction. He can take him from California or New York, wherever he sees fit to get him from, and he can appoint him to hold that particular court, and they usually look over the country and find some judge who is not very busy. We have already provided for that in the bill revising the Judicial Code, so that the difficulty the gentleman mentioned is already provided for by statute. These are all practical matters which can be worked out in practical ways and produce satisfactory results.

Mr. WEBB. Mr. Chairman, I suggest that we read the bill under the five-minute rule for amendment.

Mr. MANN. Mr. Chairman, the last Democratic platform—

Mr. PAYNE. What is that?

Mr. PROUTY. Where does the gentleman find that?

Mr. MANN. The last Democratic platform contained this language—and at the beginning of a session of Congress I think that it is not amiss to remind our Democratic brethren before they commence business and while they are providing for the expenditure of money of one plank in their platform that they ought to respect:

We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toll. We demand a return to that simplicity and economy which befits a democratic government and a reduction in the number of useless offices, the salaries of which drain the substance of the people.

As I understand the present bill, the main reason that has been offered so far for its passage has been that the State of Georgia has a larger population than the State of Florida, and that the State of Florida has now an equal number of Federal judges. Instead, however, of reducing the number of offices, and probably one of the offices in Florida is a useless office, it is proposed now to increase the number in Georgia. That is the way it has been all of the time under the control of our Democratic friends. Whenever they find that there are too many places in one situation they try to even it up by creating a larger number in some other which is similar.

Two or three years ago I remember we had a great howl out in my city in reference to the number of Federal judges. They needed an additional district judge. Two and a half years ago one of the circuit judges in the northern district of Illinois resigned, and President Taft did not appoint his successor.

The matter ran along for the course of six or seven or eight or nine months, and President Taft did not appoint anyone to succeed Judge Grosscup. President Wilson has been holding office now for more than a year and a half and he has not appointed anyone to fill that vacancy, although we were told on the floor of the House by the Committee on the Judiciary in the last Congress, which brought in a bill and passed it through the House, that it was absolutely essential to the conduct of legal business in Chicago that they should have an additional judge there. Yet, having a vacancy now for two years and a half, neither the Republican President nor the Democratic President has seen fit to fill the vacancy. The Committee on the Judiciary, a Democratic committee—and I am not saying that it would have been any different if it had been a Republican committee—yielding to the pressure, reported in the last Congress in favor of creating an additional district judge in our town. Perhaps they need one. I do not know. Evidently the Presidents, two of them, did not feel the great need of this additional judge or they would not have allowed two and a half years to go by without appointing a circuit judge and assigning him to district business.

Mr. COOPER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. COOPER. As I remember it, in the Sixty-first Congress the revision of the laws known as the Moon-Sherley revision, abolished the office of circuit judge of the United States and created the circuit court of appeals.

Mr. MANN. That is true, but that does not affect the circuit judges.

Mr. COOPER. In one way possibly it would; in appointing a man specifically to fill the vacancy created by the resignation of Judge Grosscup.

Mr. MANN. Not at all, because in the same revision of the laws we provided expressly for assigning the circuit judges to perform district judge work, and the only difference in Chicago whether a man is a circuit judge or a district judge is that the circuit judge gets \$500 a year more salary than the district judge, and in Chicago he needs it.

Mr. WEBB. Mr. Chairman, I want to state to my friend that since the abolition of the Commerce Court much pressure has been relieved from the work of the circuit judges, and these five Commerce Court judges—

Mr. MANN. Four.

Mr. WEBB. Yes, four—can be assigned to the various district courts.

Mr. MANN. Then why have they not assigned one to Georgia?

Mr. WEBB. I understand that Judge Mack has been assigned to the various vacancies to do the work.

Mr. MANN. They could assign Judge Mack to Georgia.

Mr. WEBB. Not at all. He does not try cases in the district court, but in the circuit court.

Mr. MANN. But Judge Mack ought to try cases in the district court, and he does.

Mr. WEBB. There is a circuit court of appeals. The judges of the circuit court have been abolished, and the circuit court judges do not try cases any more.

Mr. CULLOP. Mr. Chairman—

Mr. MANN. Mr. Chairman, I will make a correct statement; neither the gentleman from Wisconsin [Mr. COOPER] nor the gentleman from North Carolina [Mr. WEBB] seem to understand the situation. The circuit courts were abolished, but the circuit judges were not abolished. There are circuit judges who sit in the circuit court of appeals, but the law provides that any of those circuit judges may be assigned to perform district work; and where there is a superfluity of circuit judges, they do perform district court work, and it is nonsense to say in the city of Chicago, with four circuit judges and only three allowed to sit in the circuit court of appeals, that the extra circuit judge should not perform district work. That is being done and ought to be done. Now, wherever the demand comes up, it is always very strong at the beginning for the creation of an additional district judge. Nearly every portion of the country has demanded an additional judge. Well, sometimes they may be needed. We passed one for the southern district of California at the last session of Congress which seemed to me might be needed under the circumstances there, but here it is perfectly evident in this case that the purpose of creating an additional district judge is so they will not try cases before Judge Speer. A number of years ago the House of Representatives, on charges which were made against Judge Blodgett, district judge at Chicago, investigated proposed impeachment proceedings.

The House decided not to impeach Judge Blodgett, but there were protracted proceedings in the investigation which was made by the Judiciary Committee in the city of Chicago, and some young lawyers there, very bright ones, had made those charges against Judge Blodgett. There was a bitter feeling, and I can remember there was talk then that nobody would be prepared among the people to try their cases before Judge Blodgett, yet no additional judge was appointed. Judge Blodgett continued to perform the duties of district judge, and when he died he had the reputation of being the best district judge in the United States. He transacted more business without criticism than any other two judges in the United States, and the people had gotten to know that their original conceptions against him were without sufficient foundation.

Now, Mr. Chairman, I assume that my genial friend from Indiana [Mr. CULLOP] will at the proper time offer his celebrated amendment. It seems to me that it is time once again to secure a roll call in the House of Representatives on one plank, the same old plank, of the Democratic platform. Nearly every plank in that platform has been repudiated at different times by the majority side of this House. For a number of times in this Congress they voted in favor of sustaining the plank in that platform in reference to publicity of indorsements of presidential appointments, but in the end the temptation was too great, and enough of you over there followed those who believed in that principle or thing on this side to vote down the Cullop or Mann amendment, but I trust that my friend from Indiana will offer his amendment, giving us another chance at it. Let us know whether in creating an additional and unnecessary office in Georgia you are willing to make public the indorsements made to the President for the appointment which is made.

Mr. DONOVAN. Mr. Chairman, the gentleman from Illinois, the minority leader, has reminded me of my duty, or, in other words, reminded me of an article of faith in the Democratic decalogue, and that is this: Economy in public expenditures, that labor might be lightly burdened. I believe that is almost the first article of faith in the Democratic doctrine. Again, the gentleman from Illinois has reminded me of the necessity of filling these positions that possibly have been left vacant or

no services have been performed. We had in our State a judge of the lower court—the district court—who died, and the position was not filled for a year and a half. No one suffered—and the country saved the salary—except those who desired to fill the seat at the salary to be paid. They were the only ones who suffered. Mr. Chairman, let me see if I understand the chairman of the committee correctly. I understood him a few moments ago to state that it would not be possible to have Judge Speer resign or retire before he was 70 years old. Is that correct?

Mr. WEBB. Well, I think that is true. Of course, that is up to Judge Speer; but I do not believe he will resign until he is 70 years of age, and then he will retire under the present law and draw the salary that the law allows.

Mr. DONOVAN. The gentleman should have told you, Mr. Chairman, that the position is for life—or, in other words, that the Constitution reads “during good behavior,” and good behavior consists in drawing the salary attached to the office. [Laughter.]

Mr. WEBB. I believe the gentleman knows that this—

Mr. DONOVAN. The chairman of the committee is a great lawyer; but I have the floor, and the gentleman should address the Chair and not set a bad example to his associates here.

Mr. WEBB. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Connecticut yield?

Mr. DONOVAN. It will give me much pleasure to yield to the gentleman from North Carolina.

Mr. WEBB. Mr. Chairman, I beg the pardon of the gentleman. I did not mean to breach the rules when the gentleman was speaking, but of course we know that while these are life-tenure positions that the law provides that the judge who has served 10 years and arrives at the age of 70 years has a right to retire and draw the pay allowed by law, and it is assumed that at his arrival at the age of 70 years Judge Speer will retire on account of bad health on such pay as the law allows him. He is now 67 years of age, and it is assumed that at the end of the three-year period still remaining he will retire.

Mr. DONOVAN. I suggest, Mr. Chairman, the gentleman's knowledge of the law is a little faulty. There is no such provision of the law. The Constitution says, and says plainly, “during good behavior.” Article III, section 1, says:

The judges, both of the Supreme and inferior courts, shall hold their offices during good behavior, and shall at stated times receive for their services a compensation, which shall not be diminished during their continuance in office.

And under no circumstances is there any cause—

Mr. WEBB. Mr. Chairman—

The CHAIRMAN. Will the gentleman from Connecticut yield to the gentleman from North Carolina?

Mr. DONOVAN. I will be delighted to yield.

Mr. WEBB. We are familiar with the provisions of the Constitution which the gentleman has read, but surely the gentleman knows there is a statute enacted by Congress which gives these gentlemen the privilege, after having served to the age of 70 years, of retiring with full pay. And the average judge whose health is bad, and who has arrived at the age of 70, usually takes advantage of that law and retires and draws full pay, instead of remaining on the bench.

Mr. DONOVAN. Mr. Chairman, I was recognized for one hour, was I not?

The CHAIRMAN. You were.

Mr. DONOVAN. I will say to the gentleman from North Carolina that there is no provision that will interfere with the constitutional provision. You may pass what you wish, but the Constitution stands notwithstanding. And any lawyer knows that. The gentleman, as chairman of the committee, ought to have told his associates this, Mr. Chairman, that in the report it is stated that for three years in this particular court there were only 46 civil cases. Now, think of that. Forty-six civil cases in three years. That shows to a certain extent that it is not a court of much business. About 15 civil cases a year. Oh, the gentleman will say, if he gets the floor again, that they had a great many criminal cases. Well, criminal cases in a district court do not amount to much. They are largely technical crimes—that is to say, violations of internal-revenue laws—and you can try 50 or a hundred of them in a day. I believe up our way we have held a whole term of court in less than one hour. There is no dispute. Once I believe in this court here they did have a case that took some time to try, but probably it has been the only one in the whole Southern States in the last 15 years. Now, in all these criminal cases where they are caught and have not paid a special tax they have nothing else to do except to “pay the fiddler,” and the accused is lacking in good sense if he em-

plays a lawyer. [Laughter.] Now, the chairman of the committee took advantage of that when he kept that knowledge from his associates.

Now, as the gentleman from Illinois [Mr. MANN] stated as to the position in Chicago, for two years and a half it has not been filled. Now, in Chicago there is more business done in the United States court, no doubt, in one year than there is in all the district courts of the Southern States in 10 years. There is no doubt about that. They have some counterfeiting cases that take time; they have some civil cases that take time; but in the Eastern States and in the Southern States, where there is much less business done, it is done almost wholly in the State courts, and the gentleman, the chairman of the committee, knows that.

As a Democrat, Mr. Chairman, I will have to vote against this measure in order to keep up with the policy of the Democratic Party of economy in public expense.

I reserve the balance of my time.

Mr. SIMS. May I ask the gentleman a question?

Mr. DONOVAN. I will be pleased to yield.

Mr. SIMS. I have not heard all that has been said about the bill, either for or against it.

Mr. DONOVAN. The gentleman never will hear all that lawyers should say. They only state what is necessary to say to the case at hand.

Mr. SIMS. It is shown that this judge is unable to perform the duties of his office, and they want to appoint a new judge, and retire the old judge under the provisions of the bill?

Mr. DONOVAN. It is not so here.

Mr. SIMS. According to what the gentleman said about the very small amount of business done, and that this judge is not very well, the associate judges can come in, other judges that are not overworked, and are not ill.

Mr. DONOVAN. That is the practice of the court elsewhere. They do call in additional judges in other places.

Mr. SIMS. Why do they not do it and give this sick man a rest?

Mr. WEBB. They have called in four different judges in this court.

Mr. DONOVAN. We have in the New England States four district judges, and one died, and it was two years and a half before another was appointed in his place, and during that time no one suffered.

Mr. SIMS. Can not they put in another judge temporarily and clean up this docket?

Mr. WEBB. Was the gentleman addressing me?

Mr. SIMS. Anybody who can answer.

Mr. WEBB. I can tell the gentleman. Judge Grubb, Judge Shepherd, Judge Pardee, and Judge Newman have been in the district in the last two or three years in order to clean up this docket.

Mr. SIMS. On account of the ill health of the regular judge?

Mr. WEBB. On account of the ill health of Judge Speer.

Mr. SIMS. Is this judge unfit or unable to go ahead with his duties?

Mr. WEBB. He is absolutely; and it will take three years to clean up this docket.

Mr. SIMS. Why not appoint a new judge?

Mr. WEBB. I will say to the gentleman from Tennessee that there was quite a demand on the part of the people of Georgia for a new judicial district, with an additional judge, but the Committee on the Judiciary, knowing the sentiment and feeling of Members that it is best to be economical, and feeling that way ourselves, we did not agree to that, and said, “No; we will appoint a judge, but when Judge Speer resigns or dies no successor shall be appointed.”

Mr. SIMS. That is only a temporary appointment?

Mr. WEBB. Yes.

Mr. SIMS. Then it would not give this new judge the right to retire after serving 10 years or more?

Mr. WEBB. Oh, certainly. This is a permanent judge.

Mr. SIMS. I understood the gentleman to say it was temporary.

Mr. WEBB. Judge Speer will be entitled to retire in 10 years. He is now in very feeble health, and the supposition is that he will retire in three years; that is, when he reaches the age of 70. Whether he does retire or not, he is not able now to do the work of his district. This will not cost any more to the country after three years to have that additional judge down there, for at the end of that time Judge Speer can retire.

Mr. SIMS. If he is not able to do the work, why not retire him permanently and appoint a permanent judge?

Mr. WEBB. You can not retire him until he has reached the age of 70, and then only if he chooses to retire.

Mr. SIMS. Not by an act of Congress?

Mr. WEBB. It is a life position. A special act could give him the right to retire earlier, but Congress could not force him to retire.

Mr. FLOYD of Arkansas. He could hold on until he is 90 if he wished.

Mr. SIMS. Why can you not in your act provide for that?

Mr. DONOVAN. Mr. Chairman, this is a kind of tea party. I thought I had the floor. [Laughter.]

Mr. SIMS. If he does not do the work and has already been impeached on account of what he has done, why not get rid of him?

Mr. WEBB. He has not been impeached. He has been investigated.

Mr. SIMS. I mean an effort has been made to impeach him.

Mr. WEBB. He can not do the work of two men.

Mr. SIMS. Considering the criticisms of what he has done, is it not manifest that the less work he does do down there the better it will be for the people down there?

Mr. WEBB. I would not exactly make that statement.

Mr. FLOYD of Arkansas. Mr. Chairman, I may say that it is not in the power of Congress to compel any judge to retire against his will.

Mr. PAGE of North Carolina. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. PAGE of North Carolina. Who has the floor?

Mr. FLOYD of Arkansas. Retirement must be a voluntary act on the part of the judge.

Mr. SIMS. Is it not in the power of Congress to retire him with pay?

Mr. FLOYD of Arkansas. No. He must himself consent. He must himself accept the benefits of the law.

Mr. SLAYDEN. Mr. Chairman, will the gentleman yield?

Mr. WEBB. Certainly.

Mr. SLAYDEN. You are undertaking, as I understand it, to have appointed a judge in this district in Georgia to serve during the period of the inability of Judge Speer to discharge the duties of his office and to supplement the work so as to clear up a congested docket. Is that right?

Mr. WEBB. Not quite. This judge, when appointed, will be a permanent appointment, but Judge Speer's successor shall not be appointed; or, rather, Judge Speer will have no successor.

Mr. SLAYDEN. Has the gentleman in charge of this bill given any attention to the condition in the fifth circuit, where the judge is very much more than 80 years old and physically unable to discharge the duties of his office, and who declines to exercise his constitutional right to retire?

Mr. WEBB. I will say to my friend that I have given thought to that situation he mentions, and we discussed it here a while ago—the gentleman from Washington [Mr. BRYAN] and I. I not only understood that the judge in Texas would not resign, but that he was able to do some work but refused to do so.

Mr. SLAYDEN. I do not think he is physically able to do the work. For the last year or two he was helped onto the bench.

Mr. WEBB. I think under such circumstances a judge ought to have enough self-respect to retire and let a new judge be appointed.

Mr. SLAYDEN. I think so; but I think the committee ought to give us some relief, and have an additional judge appointed in that circuit under the precise circumstances suggested in this Georgia district which we are now considering.

Mr. BARTLETT. If my friend will introduce a bill—

Mr. SLAYDEN. Your friend has already introduced such a bill.

Mr. WEBB. There has been no such statement justifying the creation of a new judge down there as has been presented in this pending case. If the gentleman from Texas will make to the committee as strong a statement as he has made here, we will look into the facts and probably recommend such legislation.

Mr. SLAYDEN. Some of my colleagues are lawyers, and perhaps they can state the situation more clearly and forcibly than I can, and perhaps they may be able to take that task off my hands.

Mr. WEBB. I think there should be another circuit judge in your circuit, and, for my part, I would be willing to recommend it. It would not increase the expense, but it would supply an able-bodied judge. We shall give the matter consideration.

The CHAIRMAN. The Clerk will now read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the President of the United States shall appoint an additional district judge for the southern district of the State of Georgia, by and with the consent of the Senate, who shall reside in the said district and shall possess the same qualifications and have the

same power and jurisdiction and receive the same salary now prescribed by law in respect of the present district judge therein.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert in line 9, page 1, after the word "therein," the following: "Provided, however, That the President shall make public all indorsements made in behalf of the person appointed as such district judge."

Mr. MANN. Mr. Chairman, concerning this amendment, or the original Cullop amendment, which is only being changed to make it applicable to this case, the distinguished leader of the Democratic Party, the Secretary of State, Mr. Bryan, made this statement:

Is there anything in that amendment that an honest man can object to? Why should the President desire to conceal the recommendations upon which he appoints public servants? And why should he be permitted to conceal recommendations if he does desire to do so? The amendment does not interfere with his right to appoint; it simply asks him to step out into the daylight and let the people see to what indorsements he gives weight and what indorsements he ignores. Anything wrong about that?

The opponents of the amendment say that it is unconstitutional. The objection is ridiculous; but suppose it were a doubtful question? Why not let the court decide the question of constitutionality? If the amendment is desirable, let Congress pass the bill; the Federal courts can be relied upon not to allow the people to have any more light than the Constitution permits. The 13 Democrats opposing the law give the benefit of the doubt to the predatory interests. If the 13 had their way about it, the courts would have no chance to decide the question on the side of the people.

The 13 Democrats made a mistake—a grievous mistake. With some of them such mistakes are a matter of habit, but some of the 13 are new offenders. It remains to be seen whether they have been misled or have deliberately started on a downward course. Their constituents should write them, demanding an explanation. By the time they get through explaining they will know more.

[Laughter on the Republican side.]

So, in order that we may know more, I ask the opportunity that gentlemen may vote on this amendment once more.

Mr. BARTLETT. Will the gentleman yield?

Mr. MANN. In a moment. When the Cullop amendment was first offered 13 Democrats voted against it. I do not remember whether all of the 13 are still in the House or have been promoted, while many of them who voted on the other side have been retired to private life; but there were 13 who received this scolding from the distinguished Secretary of State, who tells your President what to do. Now, I will yield to the gentleman from Georgia.

Mr. BARTLETT. The gentleman said this was the Cullop amendment. The Cullop amendment embraced all oral and written recommendations. The amendment of the gentleman from Illinois does not go that far?

Mr. MANN. I think the Cullop amendment did not say that; but it did say "all indorsements." My amendment says "all indorsements of the man who is appointed." I put it that way in order that there might be no question about its being in order.

Mr. BARTLETT. My friend from Illinois did not vote for the Cullop amendment, did he?

Mr. MANN. No; and I shall not vote for this one. I hope no one requires me to make an announcement that I am not in favor of most of the provisions of the Democratic platform. That is one provision I do not favor; will gentlemen on the other side repudiate it? It is no dishonor to me to repudiate it.

Mr. BARTLETT. As for myself, I never voted for it.

Mr. MANN. The gentleman repudiated the Democratic platform, then.

Mr. BARTLETT. I am perfectly willing to repudiate that part of it. I do not think the Democratic Party or anybody else has a right to bind me to vote for an unconstitutional provision.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. Cox) there were 51 ayes and 24 noes.

Mr. WEBB. I ask for tellers.

Mr. MANN. Oh, do not filibuster; let us have a vote in the House.

Tellers were ordered, and the Chair appointed as tellers Mr. MANN and Mr. WEBB.

The committee again divided, and the tellers reported that there were 47 ayes and 30 noes.

So the amendment was agreed to.

The Clerk completed the reading of the bill.

Mr. WEBB. Mr. Chairman, I move that the committee do now rise and report the bill with the amendment to the House, with the recommendation that the amendment be agreed to and the bill as amended do pass.

The CHAIRMAN. The question is on the motion of the gentleman from North Carolina.

The question was taken; and on a division (demanded by Mr. WEBB and Mr. CRISP) there were 49 ayes and 28 noes.

So the motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. JOHNSON of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 17869 and had directed him to report the same back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The SPEAKER. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. CULLOP) there was 36 ayes and 37 noes.

Mr. CULLOP. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Indiana makes the point of no quorum, and evidently no quorum is present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 161, nays 103, answered "present" 1, not voting 164, as follows:

YEAS—161.

Abercrombie	Doolittle	Kirkpatrick	Sherwood
Adair	Doughton	Kitchin	Sims
Aiken	Driscoll	Lafferty	Sisson
Anderson	Eagan	La Follette	Slomp
Ashbrook	Eagle	Lenroot	Smith, Minn.
Aswell	Evans	Lewis, Pa.	Smith, Tex.
Austin	Falconer	Lieb	Sparkman
Barkley	Farr	Lindbergh	Stanley
Barton	Fergusson	Lloyd	Stedman
Borchers	Finley	Loneragan	Steenerson
Brockson	FitzHenry	McGillicuddy	Stephens, Cal.
Brown, N. Y.	Foster	McKellar	Stephens, Miss.
Browne, Wis.	Fowler	MacDonald	Stephens, Nebr.
Brumbaugh	Frear	Maguire, Nebr.	Stephens, Tex.
Bryan	Gallivan	Mahan	Stone
Buchanan, Ill.	Garrett, Tex.	Maher	Stout
Buchanan, Tex.	Gill	Mapes	Stringer
Burke, Wis.	Goodwin, Ark.	Mitchell	Summers
Byrnes, Tenn.	Graham, Ill.	Moon	Sutherland
Callaway	Gray	Morgan, Okla.	Tavener
Candler, Miss.	Hamlin	Moss, Ind.	Taylor, Ala.
Carew	Hardy	Moss, W. Va.	Taylor, Ark.
Carter	Hayden	Murdock	Thomas
Casey	Helgesen	Murray	Thompson, Okla.
Church	Helm	Oldfield	Treadway
Collier	Helvering	Phelan	Trilble
Connolly, Iowa	Henry	Porter	Vaughan
Cooper	Hensley	Prouty	Vinson
Cox	Hoxworth	Quin	Volstead
Cramton	Igoe	Raker	Walsh
Crosser	Johnson, Ky.	Rauch	Watkins
Cullop	Keating	Reilly, Conn.	Willis
Decker	Keister	Reilly, Wis.	Wingo
Delrick	Kelley, Mich.	Roberts, Nev.	Witherspoon
Dent	Kelly, Pa.	Rogers	Woodruff
Dershem	Kennedy, Conn.	Rouse	Woods
Dickinson	Kettner	Rube	Young, N. Dak.
Dillon	Key, Ohio	Rucker	Young, Tex.
Dixon	Kless, Pa.	Rupley	
Donohoe	Kindel	Russell	
Donovan	Kinkead, N. J.	Shackelford	

NAYS—103.

Adamson	Fields	Johnson, S. C.	Powers
Allen	Floyd, Ark.	Johnson, Wash.	Price
Avis	Fordney	Kennedy, R. I.	Railey
Balloy	Gard	Knowland, J. R.	Rayburn
Barnhart	Gardner	Kreider	Slayden
Bartlett	Garner	Lee, Ga.	Sloan
Beakes	Gerry	Lee, Pa.	Smith, Idaho
Blackmon	Glass	Leshar	Smith, J. M. C.
Booher	Goeke	Logue	Smith, N. Y.
Bulkley	Good	McAndrews	Stafford
Burgess	Gordon	McLaughlin	Stevens, Minn.
Burke, S. Dak.	Greene, Mass.	Madden	Switzer
Burnett	Greene, Vt.	Mann	Talbott, Md.
Butler	Griest	Montague	Talcott, N. Y.
Byrnes, S. C.	Gudger	Morgan, La.	Thacher
Carlin	Guernsey	Morrison	Townsend
Clancy	Hammond	Mulkey	Tuttle
Coady	Harris	O'Shaunessy	Underwood
Crisp	Harrison	Padgett	Walker
Curry	Hayes	Page, N. C.	Weaver
Danforth	Hinds	Paige, Mass.	Webb
Davis	Holland	Park	Whaley
Dies	Houston	Parker, N. J.	White
Dupré	Hughes, Ga.	Patton, Pa.	Williams
Edwards	Hull	Payne	Wilson, Fla.
Esch	Humphrey, Wash. Post		

ANSWERED "PRESENT"—1.

Browning

NOT VOTING—164.

Ainey	Beall, Tex.	Bruckner	Chandler, N. Y.
Alexander	Bell, Cal.	Burke, Pa.	Clark, Fla.
Ansberry	Bell, Ga.	Calder	Claypool
Anthony	Borland	Campbell	Cline
Baker	Bowdle	Cantor	Connolly, Kans.
Baltz	Britten	Cantrill	Conry
Barchfeld	Brodbeck	Caraway	Copley
Bartholdt	Broussard	Carr	Dale
Bathrick	Brown, W. Va.	Cary	Davenport

Difenderfer	Hamilton, N. Y.	Lobeck	Riordan
Dooling	Hart	Loft	Roberts, Mass.
Doremus	Haugen	McClellan	Rothermel
Drukner	Hawley	McGuire, Okla.	Sabath
Dunn	Hay	McKenzie	Saunders
Edmonds	Heflin	Manahan	Scott
Elder	Hill	Martin	Scully
Estopinal	Hinebaugh	Metz	Seldomridge
Fairchild	Hobson	Miller	Sells
Faison	Howard	Mondell	Sherley
Ferris	Howell	Moore	Shreve
Fess	Hughes, W. Va.	Morin	Sinnott
Fitzgerald	Hulings	Mott	Small
Flood, Va.	Humphreys, Miss.	Neeley, Kans.	Smith, Md.
Francis	Jacoway	Neely, W. Va.	Smith, Saml. W.
French	Johnson, Utah	Nelson	Stevens, N. H.
Gallagher	Jones	Nolan, J. I.	Taggart
Garrett, Tenn.	Kahn	Norton	Taylor, Colo.
George	Kennedy, Iowa	O'Brien	Taylor, N. Y.
Gillett	Kent	Oglesby	Temple
Gilmore	Kinkaid, Nebr.	O'Hair	Ten Eyck
Gittins	Konop	O'Leary	Thomson, Ill.
Godwin, N. C.	Korbly	Palmer	Towner
Goldfogle	Langham	Parker, N. Y.	Underhill
Gorman	Langley	Patten, N. Y.	Vare
Goulden	Lazaro	Peters	Vollmer
Graham, Pa.	L'Engle	Peterson	Wallin
Green, Iowa	Lever	Platt	Walters
Gregg	Levy	Plumley	Watson
Griffin	Lewis, Md.	Pou	Whitacre
Hamilton	Lindquist	Ragsdale	Wilson, N. Y.
Hamilton, Mich.	Linthicum	Reed	Winslow

So the amendment was agreed to.

The Clerk announced the following pairs:
For the session:

Mr. SCULLY with Mr. BROWNING.

Until further notice:

Mr. HOWARD with Mr. FAIRCHILD.

Mr. WATSON with Mr. DUNN.

Mr. HAY with Mr. KAHN.

Mr. SHERLEY with Mr. GILLETT.

Mr. ALEXANDER with Mr. AINEY.

Mr. LEVER with Mr. WINSLOW.

Mr. BELL of Georgia with Mr. ANTHONY.

Mr. BORLAND with Mr. BARCHFIELD.

Mr. BROWN of New York with Mr. BARTHOLDT.

Mr. BRUMBAUGH with Mr. BELL of California.

Mr. BRUCKNER with Mr. BRITTEN.

Mr. CANTRILL with Mr. BURKE of Pennsylvania.

Mr. CARAWAY with Mr. CALDER.

Mr. CLARK of Florida with Mr. CAMPBELL.

Mr. CLINE with Mr. DRUKKER.

Mr. CONNELLY of Kansas with Mr. EDMONDS.

Mr. CONRY with Mr. FESS.

Mr. DALE with Mr. MARTIN.

Mr. DAVENPORT with Mr. CARY.

Mr. DOREMUS with Mr. COPLEY.

Mr. FERRIS with Mr. FRENCH.

Mr. FITZGERALD with Mr. GRAHAM of Pennsylvania.

Mr. GALLAGHER with Mr. GREEN of Iowa.

Mr. GARRETT of Tennessee with Mr. HAMILTON of Michigan.

Mr. GODWIN of North Carolina with Mr. HAMILTON of New York.

Mr. GOULDEN with Mr. HAUGEN.

Mr. GRIFFIN with Mr. HAWLEY.

Mr. HAMILL with Mr. HOWELL.

Mr. HART with Mr. HUGHES of West Virginia.

Mr. HEFLIN with Mr. JOHNSON of Utah.

Mr. HUMPHREYS of Mississippi with Mr. KENNEDY of Iowa.

Mr. KONOP with Mr. KINKAID of Nebraska.

Mr. JACOWAY with Mr. HULINGS.

Mr. LEWIS of Maryland with Mr. LANGHAM.

Mr. LINTHICUM with Mr. MCGUIRE of Oklahoma.

Mr. LOBECK with Mr. MCKENZIE.

Mr. NEELY of West Virginia with Mr. LANGLEY.

Mr. O'BRIEN with Mr. LINDQUIST.

Mr. OGLESBY with Mr. MANAHAN.

Mr. O'LEARY with Mr. MILLER.

Mr. PALMER with Mr. MOORE.

Mr. PATTEN of New York with Mr. MONDELL.

Mr. POU with Mr. MORIN.

Mr. RAGSDALE with Mr. MOTT.

Mr. REED with Mr. NELSON.

Mr. RIORDAN with Mr. NORTON.

Mr. SABATH with Mr. PARKER of New York.

Mr. SAUNDERS with Mr. PETERS.

Mr. SMALL with Mr. PLATT.

Mr. TAGGART with Mr. PLUMLEY.

Mr. TAYLOR of Colorado with Mr. ROBERTS of Massachusetts.

Mr. TEN EYCK with Mr. SCOTT.

Mr. UNDERHILL with Mr. SELLS.

Mr. WILSON of New York with Mr. SHREVE.

Mr. TAYLOR of New York with Mr. SINNOTT.

Mr. CLAYPOOL with Mr. SAMUEL W. SMITH.

Mr. FRANCIS with Mr. TEMPLE.

Mr. CANTOR with Mr. VARE.

Mr. LAZARO with Mr. WALLIN.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the Speaker announced the ayes seemed to have it.

Mr. MANN. Division, Mr. Speaker.

The House divided; and there were—ayes 113, noes 79.

So the bill was passed.

On motion of Mr. WEBB, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, Mr. DRUKKER was granted leave of absence indefinitely on account of illness in his family.

ADJOURNMENT.

Mr. WEBB. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 17 minutes p. m.) the House adjourned to meet to-morrow, Thursday, December 10, 1914, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Librarian of Congress, transmitting annual report of the Librarian and the annual report of the superintendent of Library Building and Grounds for the fiscal year ended June 30, 1914 (H. Doc. No. 1402); to the Committee on the Library and ordered to be printed.

2. A letter from the Commissioners of the District of Columbia, transmitting a report of the official doings of the government of the District of Columbia for the fiscal year ended June 30, 1914 (H. Doc. No. 1392); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting annual report of the Secretary of the Treasury on the state of the finances for the fiscal year ended June 30, 1914 (H. Doc. No. 1261); to the Committee on Ways and Means and ordered to be printed.

4. A letter from the Postmaster General, transmitting report of the finances of the Post Office Department for the preceding year, and also a report of the amount expended for the preceding fiscal year, including detailed statement of expenditures made from the contingent fund (H. Doc. No. 1262); to the Committees on the Post Office and Post Roads and Expenditures in the Post Office Department and ordered to be printed.

5. A letter from the Secretary of War, transmitting statements from the Chief of Ordnance, United States Army, of expenditures, etc., during the fiscal year ended June 30, 1914, at the Springfield Armory, Springfield, Mass., and the Rock Island Arsenal, Rock Island, Ill. (H. Doc. No. 1263); to the Committee on Expenditures in the War Department and ordered to be printed.

6. A letter from the Secretary of the Smithsonian Institution, transmitting a detailed statement of expenditures under the appropriation "For international exchanges," "American Ethnology," etc., for the fiscal year ended June 30, 1914 (H. Doc. No. 1264); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Secretary of the Treasury, transmitting estimates of appropriations for defraying the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1916 (H. Doc. No. 1265); to the Committee on Appropriations and ordered to be printed.

8. A letter from the Secretary of the Interior, transmitting copy of a letter from Messrs. Daly, Hoyt & Mason, counselors at law, of New York, embodying a report of the operation of the Maritime Canal Co. of Nicaragua (H. Doc. No. 1266); to the Committee on Interstate and Foreign Commerce and ordered to be printed.

9. A letter from the Secretary of the Navy, transmitting detailed statement of expenditures under the contingent appropriations for the Navy Department for the fiscal year ended June 30, 1914 (H. Doc. No. 1267); to the Committee on Expenditures in the Navy Department and ordered to be printed.

10. A letter from the Secretary of the Interior, transmitting statement of cost account of moneys expended on each irrigation project on Indian reservations, allotments, and lands (H. Doc. No. 1268); to the Committee on Indian Affairs and ordered to be printed, with illustration.

11. A letter from the Secretary of the Navy, transmitting statement relating to the purchase of typewriting machines for the first three months of the fiscal year ending June 30, 1915 (H. Doc. No. 1269); to the Committee on Appropriations and ordered to be printed.

12. A letter from the Secretary of War, requesting that the necessary authority be granted for the sale of the Army transports *Crook* and *Meade* (H. Doc. No. 1270); to the Committee on Military Affairs and ordered to be printed.

13. A letter from the Secretary of Agriculture, transmitting report concerning the prices paid for wheat to the producers in the State of Kansas, and the prices at which said wheat is sold for export at Kansas City, Mo., and how such prices are determined (H. Doc. No. 1271); to the Committee on Agriculture and ordered to be printed.

14. A letter from the Secretary of the Interior, transmitting detailed statement of expenditures for subsistence, etc., in the Freedmen's Hospital for the fiscal year ended June 30, 1914 (H. Doc. No. 1326); to the Committee on Expenditures in the Interior Department and ordered to be printed.

15. A letter from the Secretary of War, transmitting letter from Chief of Ordnance, United States Army, submitting statements of the cost of all type of experimental manufactured guns and other articles by the United States Government at the several arsenals during the fiscal year ended June 30, 1914 (H. Doc. No. 1272); to the Committee on Military Affairs and ordered to be printed.

16. A letter from the Postmaster General, transmitting annual report of the operations of the Postal Savings System for the fiscal year ended June 30, 1914 (H. Doc. No. 1273); to the Committee on the Post Office and Post Roads and ordered to be printed.

17. A letter from the Secretary of the Interior, transmitting a report showing status of water rights of the Indians and the methods of financing the projects of reclamation, Shoshone or Wind River Reservation (H. Doc. No. 1274); to the Committee on Indian Affairs and ordered to be printed.

18. A letter from the Attorney General, transmitting statement of expenditures of the appropriations for the United States Court of Customs Appeals for the fiscal year ended June 30, 1914 (H. Doc. No. 1275); to the Committee on Expenditures in the Department of Justice and ordered to be printed.

19. A letter from the superintendent of buildings and grounds of the Library of Congress, transmitting statement relative to typewriting machines purchased during the first three months of the fiscal year 1915 (H. Doc. No. 1276); to the Committee on Appropriations and ordered to be printed.

20. A letter from the Librarian of Congress, showing in detail the traveling expenses of officers and employees of the Library of Congress during the fiscal year ended June 30, 1914 (H. Doc. No. 1277); to the Committee on Appropriations and ordered to be printed.

21. A letter from the Secretary of the Interior, transmitting copy of a letter from Dr. William White, superintendent of the Government Hospital for the Insane, transmitting the financial report showing receipts and expenditures of said institution for the fiscal year ended June 30, 1914 (H. Doc. No. 1278); to the Committee on Expenditures in the Interior Department and ordered to be printed.

22. A letter from the clerk of the Court of Claims, transmitting statement of all judgments rendered by said court for the year ended December 5, 1914, the amounts thereof, and the parties in whose favor rendered (H. Doc. No. 1279); to the Committee on Claims and ordered to be printed.

23. A letter from the Secretary of the Interior, transmitting statement showing documents received and distributed by the Department of the Interior for the fiscal year ended June 30, 1914 (H. Doc. No. 1280); to the Committee on Printing and ordered to be printed.

24. A letter from the Secretary of the Treasury, transmitting statement of claims for damages which have been considered, adjusted, and determined by the Commissioner of Lighthouses (H. Doc. No. 1281); to the Committee on Appropriations and ordered to be printed.

25. A letter from the Postmaster General, transmitting a tabular statement showing in detail the claims of postmasters for reimbursement for losses of money order or postal funds, resulting from burglary, fire, or other unavoidable casualty, which have been acted on by the Postmaster General during the

fiscal year ended June 30, 1914 (H. Doc. No. 1282); to the Committee on Expenditures in the Post Office Department and ordered to be printed.

26. A letter from the Secretary of the Smithsonian Institution, transmitting statement showing in detail what officers or employees of the Government traveled under the direction of the Smithsonian Institution on official business during the fiscal year ended June 30, 1914 (H. Doc. No. 1283); to the Committee on Appropriations and ordered to be printed.

27. A letter from the Secretary of the Interior, transmitting statement of the expenditures from the appropriation for "Industrial work and care of timber" for the fiscal year ended June 30, 1914 (H. Doc. No. 1284); to the Committee on Expenditures in the Interior Department and ordered to be printed.

28. A letter from the Secretary of the Interior, transmitting report for the fiscal year 1914, relating to the appropriation "Indian schools" (H. Doc. No. 1285); to the Committee on Indian Affairs and ordered to be printed.

29. A letter from the Secretary of the Interior, transmitting statement of expenditures for the fiscal year 1914 from the appropriation "Indian school and agency buildings" (H. Doc. No. 1286); to the Committee on Indian Affairs and ordered to be printed.

30. A letter from the Secretary of the Interior, transmitting statement of cost of survey and allotment work, Indian Service, for the fiscal year ended June 30, 1914 (H. Doc. No. 1287); to the Committee on Indian Affairs and ordered to be printed.

31. A letter from the Secretary of the Interior, transmitting statement of the fiscal affairs of Indian tribes for the fiscal year ended June 30, 1914 (H. Doc. No. 1288); to the Committee on Indian Affairs and ordered to be printed.

32. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law and opinion in the French spoliation claim relating to the vessel schooner *Experiment* in the case of the Insurance Co. of the State of Pennsylvania et al. v. The United States (H. Doc. No. 1289); to the Committee on Claims and ordered to be printed.

33. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact, conclusions of law, and opinion in the French spoliation claims relating to the vessel brig *Betsy*, in the case of James Murray Eaton and Charles S. Vann, administrators of James Grandberry, v. The United States (H. Doc. No. 1290); to the Committee on Claims and ordered to be printed.

34. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claim relating to the vessel ship *Philadelphia*, in the case of the Insurance Co. of the State of Pennsylvania et al. v. The United States (H. Doc. No. 1291); to the Committee on Claims and ordered to be printed.

35. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claim relating to the vessel sloop *Hawk*, in the case of Frederick R. Sherman et al. v. The United States (H. Doc. No. 1292); to the Committee on Claims and ordered to be printed.

36. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claim relating to the vessel brig *Peggy*, in the case of Francis R. Pemberton, administrator of John Clifford, et al. v. The United States (H. Doc. No. 1293); to the Committee on Claims and ordered to be printed.

37. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel sloop *William*, in the case of George G. King, administrator of Crowell Hatch, et al. v. The United States (H. Doc. No. 1294); to the Committee on Claims and ordered to be printed.

38. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel sloop *William*, in the case of the Insurance Co. of the State of Pennsylvania et al. v. The United States (H. Doc. No. 1295); to the Committee on Claims and ordered to be printed.

39. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel sloop *Pallas*, in the case of the president and directors of the Insurance Co. of North America et al. v. The United States (H. Doc. No. 1296); to the Committee on Claims and ordered to be printed.

40. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel brig *Dove*, in the case of William B. Atkinson, administrator of William Bartlett

and Edmond Bartlett, v. The United States (H. Doc. No. 1297); to the Committee on Claims and ordered to be printed.

41. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel sloop *Hero*, in the case of J. Lamb Johnston, administrator of David Lamb, v. The United States (H. Doc. No. 1298); to the Committee on Claims and ordered to be printed.

42. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel schooner *Active*, in the case of Stephen C. Atkins, administrator of Nathaniel Atkins, et al. v. The United States (H. Doc. No. 1299); to the Committee on Claims and ordered to be printed.

43. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims, relating to the vessel ship *Superb*, in the case of John D. Bryant, administrator of Charles Jones, et al. v. The United States (H. Doc. No. 1300); to the Committee on Claims and ordered to be printed.

44. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Polly*, in the case of James Crawford Dawes, administrator of Abijah Dawes et al. v. The United States (H. Doc. No. 1301); to the Committee on Claims and ordered to be printed.

45. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel brigantine *Centauro*, in the case of William Gray, administrator of William Gray, v. The United States (H. Doc. No. 1302); to the Committee on Claims and ordered to be printed.

46. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Lark*, in the case of Charles F. Adams, administrator of Peter C. Brooks et al. v. The United States (H. Doc. No. 1303); to the Committee on Claims and ordered to be printed.

47. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Columbia* (H. Doc. No. 1304); to the Committee on Claims and ordered to be printed.

48. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Rachel*, in the case of Martha A. Duvall, administratrix of Archibald Stewart, v. The United States (H. Doc. No. 1305); to the Committee on Claims and ordered to be printed.

49. A letter from the assistant clerk of the Court of Claims, transmitting findings of fact and conclusions of law in the French spoliation claims relating to the vessel ship *Fair American*, in the case of the Insurance Co. of the State of Pennsylvania v. The United States, and of Samuel Bell, administrator, etc., of Stephen Dutilh, v. The United States (H. Doc. No. 1306); to the Committee on Claims and ordered to be printed.

50. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *President*, in the cases of Henry Pettit, administrator of Andrew Pettit, and other claimants v. The United States (H. Doc. No. 1307); to the Committee on Claims and ordered to be printed.

51. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Lucy*, in the cases of the Insurance Co. of the State of Pennsylvania and other claimants v. The United States (H. Doc. No. 1308); to the Committee on Claims and ordered to be printed.

52. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Florida*, in the case of the Insurance Co. of the State of Pennsylvania v. The United States (H. Doc. 1309); to the Committee on Claims and ordered to be printed.

53. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel sloop *Hope*, in the case of the president and directors of the Insurance Co. of North America v. The United States (H. Doc. 1310); to the Committee on Claims and ordered to be printed.

54. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to vessel ship *Little Mary*, in the cases of the president and directors of the Insurance Co. of North America and other claimants v. The United States (H.

Doc. No. 1311); to the Committee on Claims and ordered to be printed.

55. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Maria*, in the cases of Harriet E. Sebor, administratrix of Jacob Sebor, and other claimants *v. The United States* (H. Doc. No. 1312); to the Committee on Claims and ordered to be printed.

56. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Delight*, in the cases of William B. Peart, administrator of William Peart, and other claimants *v. The United States* (H. Doc. No. 1313); to the Committee on Claims and ordered to be printed.

57. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Lydia*, in the cases of Caspar A. Chisholm, administrator of George Chisholm, surviving partner of La Motte & Chisholm, and other claimants *v. The United States* (H. Doc. No. 1314); to the Committee on Claims and ordered to be printed.

58. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Sally*, in the cases of Henry A. T. Granberry, administrator of John Granberry, and other claimants *v. The United States* (H. Doc. No. 1315); to the Committee on Claims and ordered to be printed.

59. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Jay*, in the case of Frederick W. Brune and William H. Brune, administrators de bonis non of the estate of Ambrose Clark, *v. The United States* (H. Doc. No. 1316); to the Committee on Claims and ordered to be printed.

60. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Friendship*, in the cases of Charles Francis Adams, administrator of Peter C. Brooks, and other claimants *v. The United States* (H. Doc. No. 1317); to the Committee on Claims and ordered to be printed.

61. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel ship *Willink*, in the cases of David Stewart and John E. Semmes, receivers of the Maryland Insurance Co., and other claimants, *v. The United States* (H. Doc. No. 1318); to the Committee on Claims and ordered to be printed.

62. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims in the case of David Stewart and John E. Sherman, receivers of the Maryland Insurance Co., and Henry C. Thorburn, administrator of estate of James Thorburn, surviving partner of James Donaldson & Co., *v. The United States* (H. Doc. No. 1319); to the Committee on Claims and ordered to be printed.

63. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel brig *Phoebe*, in the case of the Insurance Co. of the State of Pennsylvania *v. The United States* (H. Doc. No. 1320); to the Committee on Claims and ordered to be printed.

64. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Hetty*, in the case of John N. A. Griswold, trustee of the United Insurance Co. of the City of New York, and other claimants, *v. The United States* (H. Doc. No. 1321); to the Committee on Claims and ordered to be printed.

65. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel schooner *Mary Ann*, in the cases of Charles F. Adams, administrator of Peter Brooks, and other claimants, *v. The United States* (H. Doc. No. 1322); to the Committee on Claims and ordered to be printed.

66. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel snow *Charles*, in the cases of Louisa A. Starkweather, administratrix of Richard S. Hallett, and other claimants, *v. The United States* (H. Doc. No. 1323); to the Committee on Claims and ordered to be printed.

67. A letter from the assistant clerk of the Court of Claims, transmitting the findings of fact and conclusions of law in the French spoliation claims relating to the vessel ship *Phoenix*, in the case of Henry Frederick Wegner, administrator de bonis non estate of Albert Seekamp, *v. The United States*, and of George F. R. Waesche, administrator de bonis non estate of George Repold, *v. The United States* (H. Doc. No. 1324); to the Committee on Claims and ordered to be printed.

68. A letter from the Secretary of the Treasury, transmitting a combined statement of the receipts and disbursements, balances, etc., of the United States during the fiscal year ended June 30, 1914 (H. Doc. No. 1325); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 19553) to amend an act entitled "An act making appropriations to provide for the expenses of the Government of the District of Columbia for the year ending June 30, 1903, and for other purposes," approved July 1, 1902, reported the same without amendment, accompanied by a report (No. 1207), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 19552) providing for annual assessments of real estate in the District of Columbia, reported the same without amendment, accompanied by a report (No. 1208), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 19549) to amend an act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the year ending June 30, 1903, and for other purposes," approved July 1, 1902, reported the same without amendment, accompanied by a report (No. 1209), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 19547) to provide for the manner of paying the expenses of the Government of the District of Columbia, reported the same with amendment, accompanied by a report (No. 1210), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. KEY of Ohio, from the Committee on Pensions, to which was referred the joint resolution (H. J. Res. 294) providing for payment of surgeons making examination at claimant's home in connection with claim pending in the Bureau of Pensions, reported the same without amendment, accompanied by a report (No. 1211), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 18695) granting a pension to Duval Johnson; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19268) granting an increase of pension to Frederick Brinegar; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 19448) granting a pension to Commodore P. Ellis; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OLDFIELD (by request): A bill (H. R. 19642) to extend temporarily the time of filing applications for letters patent and registration in the Patent Office; to the Committee on Patents.

By Mr. LINTHICUM: A bill (H. R. 19643) to provide for an examination and survey of the Patapsco River, Md.; to the Committee on Rivers and Harbors.

By Mr. McKELLAR: A bill (H. R. 19644) to regulate promotions in the Army of the United States; to the Committee on Military Affairs.

By Mr. MORGAN of Louisiana: A bill (H. R. 19645) authorizing a survey of Bayou Lafourche, La.; to the Committee on Rivers and Harbors.

By Mr. MacDONALD: Joint resolution (H. J. Res. 381) for the appointment of a commission for the purpose of investigat-

ing the preparedness of the United States for war, defensive or offensive; to the Committee on Military Affairs.

By Mr. MONDELL: Joint resolution (H. J. Res. 382) authorizing the President to extend invitations to other nations to send representatives to the International Dry-Farming Congress to be held at Denver, Colo., September 27 to October 8, inclusive, 1915; to the Committee on Foreign Affairs.

By Mr. SMITH of New York: Joint resolution (H. J. Res. 383) declaring the intention of Congress to establish the rightful claims of American citizens to discoveries in the far north; to the Committee on Naval Affairs.

By Mr. ROBERTS of Nevada: Resolution (H. Res. 668) providing for the appointment of a committee of investigators; to the Committee on Rules.

By Mr. KEISTER: Resolution (H. Res. 669) authorizing the Clerk of the House to pay to Anna J. Oursler a certain amount of money; to the Committee on Accounts.

By Mr. UNDERWOOD: Resolution (H. Res. 670) referring to various committees such parts of the President's message as relate to the appropriation of the revenue for the support of the Government; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 19646) granting an increase of pension to Elijah Broughman; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 19647) granting an increase of pension to Benjamin T. Jones; to the Committee on Invalid Pensions.

By Mr. AUSTIN: A bill (H. R. 19648) granting an increase of pension to Alfred G. Watson; to the Committee on Invalid Pensions.

By Mr. BOOHER: A bill (H. R. 19649) granting a pension to Margaret J. Sharp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19650) granting an increase of pension to Levi Chute; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19651) granting an increase of pension to James P. Tindle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19652) granting an increase of pension to Mahala Burns; to the Committee on Invalid Pensions.

By Mr. BUCHANAN of Illinois: A bill (H. R. 19653) granting an increase of pension to Bridget McGarry; to the Committee on Invalid Pensions.

By Mr. BURGESS: A bill (H. R. 19654) for the relief of Mrs. C. H. Williams; to the Committee on War Claims.

Also, a bill (H. R. 19655) for the relief of Mrs. C. H. Williams; to the Committee on War Claims.

By Mr. BURKE of Wisconsin: A bill (H. R. 19656) granting an increase of pension to Benjamin F. Harris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19657) granting an increase of pension to Wallace Thompson; to the Committee on Invalid Pensions.

By Mr. CARTER: A bill (H. R. 19658) granting an increase of pension to Leon Brown; to the Committee on Invalid Pensions.

By Mr. CLINE: A bill (H. R. 19659) granting a pension to Allie Truesdell; to the Committee on Invalid Pensions.

By Mr. COOPER: A bill (H. R. 19660) granting a pension to Lizzie H. Bentley; to the Committee on Invalid Pensions.

By Mr. COX: A bill (H. R. 19661) granting a pension to John Schafer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19662) granting an increase of pension to Benjamin F. Richardson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19663) granting an increase of pension to Charles Hooten; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19664) granting an increase of pension to Edward T. Keithley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19665) granting an increase of pension to John W. Lamaster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19666) for the relief of Abraham Hawkins; to the Committee on Military Affairs.

Also, a bill (H. R. 19667) for the relief of Washington Lovell; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 19668) granting a pension to Mary Jane Moore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19669) granting a pension to Goldie M. Nichols; to the Committee on Pensions.

By Mr. DOOLITTLE: A bill (H. R. 19670) granting an increase of pension to Lucinda Findley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19671) granting an increase of pension to Silas H. Flsh; to the Committee on Pensions.

Also, a bill (H. R. 19672) granting an increase of pension to James Corn; to the Committee on Invalid Pensions.

By Mr. FESS: A bill (H. R. 19673) granting a pension to Jean M. Chance; to the Committee on Pensions.

Also, a bill (H. R. 19674) granting a pension to Daniel Johnson; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 19675) granting a pension to Mary A. Dyer; to the Committee on Invalid Pensions.

By Mr. GRIEST: A bill (H. R. 19676) granting a pension to John Paster; to the Committee on Invalid Pensions.

By Mr. HELVERING: A bill (H. R. 19677) granting an increase of pension to William Talbot; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 19678) granting an increase of pension to Samuel B. McNeill; to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 19679) for the relief of the heirs of Thomas J. Hill; to the Committee on War Claims.

By Mr. KEY of Ohio: A bill (H. R. 19680) granting an increase of pension to John L. Berry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19681) granting an increase of pension to Robert Carlyle; to the Committee on Invalid Pensions.

By Mr. LAFFERTY: A bill (H. R. 19682) granting a pension to Minnie Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19683) granting a pension to Jane Davison; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 19684) granting an increase of pension to Jesse Roark; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19685) granting an increase of pension to Thomas R. Gillispie; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19686) granting an increase of pension to Decatur Maynard; to the Committee on Invalid Pensions.

By Mr. LAZARO: A bill (H. R. 19687) granting an increase of pension to Richard S. Harrison; to the Committee on Invalid Pensions.

By Mr. LEWIS of Pennsylvania: A bill (H. R. 19688) to remove the charge of desertion from the record of Joseph Houser; to the Committee on Military Affairs.

By Mr. LONERGAN: A bill (H. R. 19689) granting a pension to Phoebe A. Bean; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19690) granting a pension to Fannie Stewart; to the Committee on Invalid Pensions.

By Mr. McANDREWS: A bill (H. R. 19691) granting an increase of pension to Marcia Swift; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 19692) granting an increase of pension to James C. Burwell; to the Committee on Pensions.

By Mr. MORGAN of Louisiana: A bill (H. R. 19693) granting a pension to Laura A. Graham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19694) granting a pension to Maggie Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19695) granting an increase of pension to Christian Schmalz; to the Committee on Pensions.

Also, a bill (H. R. 19696) for the relief of heirs or estate of Jean Marie Heriard, deceased; to the Committee on War Claims.

By Mr. MOSS of West Virginia: A bill (H. R. 19697) granting a pension to Harvey M. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19698) granting an increase of pension to Elizabeth Beorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19699) granting an increase of pension to Mary E. Allen; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 19700) granting an increase of pension to Thomas W. Hill; to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 19701) granting an increase of pension to John D. Lewis; to the Committee on Invalid Pensions.

By Mr. PROUTY: A bill (H. R. 19702) granting a pension to Ellen S. Glider; to the Committee on Invalid Pensions.

By Mr. QUIN: A bill (H. R. 19703) granting an increase of pension to Martha J. Kelly; to the Committee on Pensions.

Also, a bill (H. R. 19704) granting an increase of pension to Rebecca Ramsey; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 19705) granting a pension to Mary J. Jones; to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 19706) for the relief of Jennie Butler; to the Committee on Claims.

By Mr. STEPHENS of California: A bill (H. R. 19707) granting an increase of pension to Michael Carroll; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 19708) granting a pension to Charles R. Morgan; to the Committee on Pensions.

Also, a bill (H. R. 19709) granting a pension to Robert H. Lawson; to the Committee on Pensions.

Also, a bill (H. R. 19710) granting a pension to D. H. Darling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19711) granting an increase of pension to William Hunter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19712) granting a pension to Alice V. Keeler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19713) granting a pension to Ida M. Warner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19714) granting an increase of pension to Jesse P. Earl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19715) granting an increase of pension to Hamilton Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19716) granting a pension to Sarah A. Bennett; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19717) granting an increase of pension to James Finley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19718) granting a pension to Jennie Furrer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19719) granting an increase of pension to Clinton Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19720) granting an increase of pension to John Pierpoint; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19721) granting an increase of pension to Henry Rudy; to the Committee on Invalid Pensions.

By Mr. TALBOTT of Maryland: A bill (H. R. 19722) granting a pension to Mary R. Ramsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19723) granting a pension to Charles B. McConn; to the Committee on Invalid Pensions.

By Mr. THOMPSON of Oklahoma: A bill (H. R. 19724) granting an increase of pension to Thomas Boling; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19725) granting an increase of pension to Joseph W. Kelly; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19726) granting an increase of pension to William T. Snider; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19727) granting an increase of pension to James Harvey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19728) to remove the charge of desertion from the military record of Joshua D. Ditto; to the Committee on Military Affairs.

Also, a bill (H. R. 19729) to remove the charge of desertion from the military record of Robert Curren; to the Committee on Military Affairs.

Also, a bill (H. R. 19730) to remove the charge of desertion from the military record of John Boyce; to the Committee on Military Affairs.

Also, a bill (H. R. 19731) to remove the charge of desertion from the military record of Seth A. Welch; to the Committee on Military Affairs.

By Mr. WHITACRE: A bill (H. R. 19732) granting a pension to Harper Brosius; to the Committee on Invalid Pensions.

By Mr. WHITE: A bill (H. R. 19733) granting an increase of pension to Frank Nesbaum; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19734) granting an increase of pension to Alvan P. Henery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19735) granting an increase of pension to George W. Morrison; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19736) granting an increase of pension to George W. Flesher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 19737) granting an increase of pension to Isabelle Porter; to the Committee on Invalid Pensions.

By Mr. WICKERSHAM: A bill (H. R. 19738) granting a pension to Sarah D. Myers; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AUSTIN: Petition of sundry citizens of New Market, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. BAILEY (by request): Petitions of L. W. Irwin & Co., C. W. Sausser, W. B. Dysart, Lupfer & Bower, and M. J. Wiley, all of Bellwood, favoring passage of H. R. 53087; to the Committee on Ways and Means.

By Mr. BORCHERS: Petition of sundry citizens of Charleston, Ill., favoring national prohibition; to the Committee on Rules.

By Mr. CHURCH: Petition of 50 citizens of California against national prohibition; to the Committee on Rules.

Also, petition of 400 citizens of California, favoring national prohibition; to the Committee on Rules.

By Mr. CRAMTON: Petitions of A. L. Juhl and 10 others, of Marlette; Fair & Co. and 11 others, of Brown City; Palmer Bros. & Co. and 16 others, of Yale; Rathsburg & Muer and 12 others, of Imlay City; Heenan Bros. & Hibbler and 15 others, of North Branch; Barker & Walker and 5 others, of Metamora; Lang Bros. and 8 others, of Capac; William Peter, esq., and 3 others, of Columbiaville; C. H. Tuttle and 6 others, of Lapeer; W. E. McCormack and 4 others, of Otter Lake; Preston & Collins and 3 others, of Fostoria; E. T. Pedlow and 10 others, of Millington; Dr. A. Cochran and 11 others, of Almont; Streeter & Co. and 9 others, of Memphis; W. J. Dudley and 13 others, of Armada; W. & M. Dixon and 3 others, of Lum; M. A. Joslin and 11 others, of Caro; and J. A. McLean and 11 others, of Pigeon, all of the State of Michigan, in support of H. R. 5308, for taxation of mail-order concerns; to the Committee on Ways and Means.

Also, petition of Mrs. William Sammis and 5 others, of Filion, Mich., and Robert Gotts, of Caseville, Mich., against any legislation to bar anti-Catholic publications from the mails; to the Committee on the Post Office and Post Roads.

Also, petition of Methodist Episcopal Church of Carsonville, Mich., and Methodist Episcopal Church of Brown City, Mich., and Henry Van Wagnen, of Millington, Mich., favoring national prohibition; to the Committee on Rules.

Also, petition of Home Missionary Society of the Methodist Episcopal Church of Marine City, Mich., against House bill 16904, relative to running railroad tracks in front of Sibley Hospital, Washington, D. C.; to the Committee on the District of Columbia.

Also, petition of Michigan Federation of Typographical Union, against increase in postage on second-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. ESCH: Memorial of M. C. Casberg Camp, No. 11, Department of Wisconsin, United Spanish War Veterans, favoring amending the law relating to appointment of officers for national soldiers' homes; to the Committee on Military Affairs.

Also, memorial of Superior (Wis.) Commercial Club, favoring change in postal rates; to the Committee on the Post Office and Post Roads.

By Mr. FITZGERALD: Petition of Philadelphia Maritime Exchange, New Orleans Board of Trade, and Maritime Association of Port of New York, favoring appropriation for coast and geodetic survey work; to the Committee on Appropriations.

Also, petition of Commercial Association of Pendleton, Oreg., favoring appropriation for improvement of Crater Lake National Park; to the Committee on Military Affairs.

By Mr. GOOD: Petition of business men of the fifth congressional district of Iowa, favoring passage of House bill 5308 relative to taxing mail-order houses; to the Committee on Ways and Means.

By Mr. HAMMOND: Petition of the Woman's Christian Temperance Union of Lake Crystal, Minn., favoring national prohibition; to the Committee on Rules.

By Mr. KENNEDY of Rhode Island: Petition of Branch 472, Catholic Knights of America, Providence, R. I., protesting against circulation of Menace in mails, etc.; to the Committee on the Post Office and Post Roads.

By Mr. McCLELLAN: Petitions representing 162 residents of Ulster County, N. Y., urging legislation to make illegal the use of the mails for the transmission of literature which slanders, ridicules, or insults the religious convictions and practices of any citizen of the United States; to the Committee on the Post Office and Post Roads.

By Mr. NEELY of West Virginia: Evidence in support of bill for the relief of Thomas W. Hill; to the Committee on Invalid Pensions.

By Mr. SIMS: Petition of sundry citizens of Big Sandy, Tenn., favoring national prohibition; to the Committee on Rules.

By Mr. STEPHENS of California: Petition of Charles R. Hadley Co. and Grimes-Stassforth Stationery Co., of Los Angeles, Cal., favoring bill abolishing printing of envelopes by Post Office Department; to the Committee on the Post Office and Post Roads.

Also, memorial of San Luis Obispo Chamber of Commerce and board of trustees of the city of Venice, Cal., favoring the passage of the Hamill bill for the retirement of aged Government employees; to the Committee on Reform in the Civil Service.

By Mr. WOODRUFF: Petition of citizens of Bay City, Mich., favoring bill for suppression of defamatory literature; to the Committee on the Post Office and Post Roads.

By Mr. YOUNG of North Dakota: Petition of Jamestown (N. Dak.) Council, U. C. H., No. 556, protesting against any increase in mileage on the railroads; to the Committee on Interstate and Foreign Commerce.